

David Sinclair. 40 Corstorphine Hill Gardens Edinburgh EH12 6LA

The Christian Community Edinburgh.
21 Napier Road Edinburgh EH10 5AZ

Decision date: 28 June 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Application to approve matters a-d specified in condition 1 of planning permission in principle 19/02753/PPP
At 21 Napier Road Edinburgh EH10 5AZ

Application No: 21/04838/AMC

DECISION NOTICE

With reference to your application for Approval of Matters Specified in Conds registered on 15 September 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

- 1. The proposal does not comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it does not preserve or enhance the character of the conservation area.
- 2. The proposal is contrary to the adopted Local Development Plan Policy Env 6 in respect of Conservation Areas-Development, as it will not preserve or enhance the special character or appearance of the conservation area.
- 3. The proposal is contrary to the adopted Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the development is inappropriate design damaging to the character and appearance of the area around it.

- 4. The proposal is contrary to the adopted Local Development Plan Policy Des 4 in respect of Development Design- Impact on Setting, as the proposal will not have a positive impact on its surroundings, including the character of the wider townscape and landscape.
- 5. The proposal is contrary to Local Development Plan Policy Des 3 in respect of Development Design Incorporating and Enhancing Existing and Potential Features, as it has not been demonstrated that existing characteristics and features in the surrounding built environment have been identified and incorporated in the proposed buildings design.

Please see the guidance notes on our <u>decision page</u> for further information, including how to appeal or review your decision.

Drawings 01b,02b,04c,05a,06b,07,08,09,10,11,12c,13b,14, represent the determined scheme. Full details of the application can be found on the <u>Planning and Building</u> Standards Online Services

The reason why the Council made this decision is as follows:

The principle of the development is supported and is in accordance with the Edinburgh Local Development Plan and the planning permission in principle. The proposed design, layout, landscaping and access are all acceptable. The proposal will not harm the protected trees within the site or cause harm to local ecology. There are no material considerations which outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Robert McIntosh directly at robert.mcintosh@edinburgh.gov.uk.

Chief Planning Officer

PLACE

The City of Edinburgh Council

- 1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.
- 2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Approval of Matters Specified in Conds 21 Napier Road, Edinburgh, EH10 5AZ

Proposal: Application to approve matters a-d specified in condition 1 of planning permission in principle 19/02753/PPP

Item – Local Delegated Decision Application Number – 21/04838/AMC Ward – B10 - Morningside

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The principle of the development was established through planning permission in principle (PPP) 19/02753/PPP.

However, the proposed development does not comply with section 64 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as the proposal will not preserve the character and appearance of the conservation area.

The form and design of the proposal is unacceptable and it does not accord with policies Des 1, Des 3, Des 4 or Env 6 of the adopted Edinburgh Local Development Plan. The proposal also does not comply with the 13 policy principles of sustainable development set out in Scottish Planning Policy (SPP). There are no other material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site relates to the garden grounds of No. 21 Napier Road, which is a large detached Victorian villa, the legal use of which is a church, occupied by the Christian Community. There is also an element of residential accommodation within the villa, that being No. 21 A and B.

The site area incorporates part of the property's substantial garden grounds. There are many examples of trees within the site, none of which are subject to a tree preservation order. The site slopes down from the south of the site to the north.

The surrounding area is largely residential. However, there is another church relatively nearby as well as a Tennis and Bowling Club.

The site lies within the Merchiston and Greenhill Conservation Area.

Description Of The Proposal

Planning Permission in Principle (application reference: 19/02753/PPP) was granted for the erection of a new chapel and priest accommodation in the grounds of the existing house (as amended).

This is an application to approve matters (a-d) specified in condition 1 of planning permission in principle 19/02753/PPP to permit the erection of the new chapel and priest accommodation.

The matters specified under (a-d) are as follows:

- (a) Siting, design and height of development, including design of all external features.
- (b) Car and cycle parking, access, road layouts and alignment and electric charging points.
- (c) Surface water and drainage arrangements including the submission of a surface water management plan.
- (d) Hard and soft landscaping details, including:
- (i) Walls, fences, gates and any other boundary treatments;
- (ii) The location of new trees, shrubs and hedges
- (iii) Programme of completion and subsequent maintenance;
- (iv) Details of phasing of these works.
- (v) Existing and finished ground levels in relation to Ordnance Datum.

The proposed priest accommodation and chapel will be sited in the north- west corner of the site. It will be set back by approximately 14 metres from Napier Road. The priest accommodation building will be two storeys in height and its walls will be finished in natural stone and render. It will have a pitched slate clad roof and will have a depth of approximately 19 metres and a height of roughly 8.1 metres. It will contain two blocks of accommodation containing a total of six bedrooms and a livingroom along with a visitors studio, community hall and office.

The proposed chapel shall be linked to the priest accommodation building. It will have a variable roof height up to a maximum of approximately 7.8 metres. Its walls will be externally finished in timber, whilst its roof shall be finished in green sedum. It will provide space for 57 worshipers.

Off street car parking for 2 cars is proposed, with electric vehicle charging points. The existing access of Polwarth Terrace, which shall be widened will be utilised. The existing pillars shall be retained. External cycle parking is proposed for guests, whilst

cycles belonging to the priests can be stored within the sheds that are present within the site.

A surface water management plan has been submitted with the application.

A new pedestrian access is proposed off Polwarth Terrace along with a new access path within the site. A selection of trees will be removed and a range of new tree planting is also proposed along the boundary of Polwarth Terrace. A patio area will be constructed to the rear of the priest accommodation building.

Supporting Information

- Arboricultural tree report
- Surface water management plan
- Sunlight/daylight analysis

Relevant Site History

19/02753/PPP 21 Napier Road Edinburgh EH10 5AZ

New chapel and priest accommodation in the grounds of the existing house (as amended)

Granted

7 August 2020

Other Relevant Site History

No other relevant site history.

Consultation Engagement

Flood Planning

Roads Authority

Publicity and Public Engagement

Date of Neighbour Notification: 28 June 2022 Date of Advertisement: 24 September 2021 Date of Site Notice: 24 September 2021

Number of Contributors: 35

Section B - Assessment

Determining Issues

Due to the proposed development falling within a conservation area, this report will first consider the proposals in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

a) Do the proposals harm the character or appearance of the conservation area?

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states: "In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The Merchiston and Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass, the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas.

The application site currently benefits from a fairly good degree of visual and physical seclusion. It is surrounded by a tall stone wall and has a range of mature and smaller trees along its boundaries. However, it is noted that there are a selection of trees along the boundary of Polwarth Terrace which shall be removed and that the site is more visible during the months when the trees do not have their leaves.

The buildings surrounding the site are a mixture of traditional large stone built dwellings and some more modern housing and flatted accommodation. The surrounding building heights also vary between single storey, two storey, three storey traditional dwellings and three/four storey flats.

Many of the properties along Polwarth Terrace are constructed relatively close to their mutual boundaries. The house directly to the west of the site (No. 19 Polwarth Terrace) is a two storey and single storey building which is constructed close to the mutual boundary of the site. No. 19 actually has a large converted double garage which is constructed right up to the shared mutual boundary. The building which used to be the Royal Etrick Hotel has now also been extended near to the mutual boundary shared with No. 19.

Directly across the road from the site, the relatively modern flatted development (No. 26 b Polwarth Terrace) is also located relatively close to its shared mutual boundary, as is the modern flatted development at No. 24b Polwarth Terrace.

Many of the buildings across the road from the site, located along Polwarth Terrace, are set back from the road by approximately 11-12 metres.

The proposal would be set off the mutual boundary shared by No.19 Polwarth Terrace by approximately 2-3.5 metres, which broadly respects the established separation distances within this part of Polwarth Terrace. It would be located a minimum of 7 metres away from the existing building on the site. The proposed priest accommodation and chapel would be set back from the street by approximately 14 metres. This would provide the buildings with some level of seclusion.

The proposed chapel is a building of a contemporary design and form with a curved roof of varying heights up to a maximum of approximately 7.8 metres. It would be externally finished in cross laminated timber with a green sedum roof. Whilst it would have a modern appearance it would be a fitting innovative design for its wooded garden setting. If the application was to be granted it is recommended that a condition be attached to the consent requiring a detailed specification, including trade names where appropriate, of all the proposed external materials to be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Whilst the proposed chapel is of a modern and high quality design, the proposed accommodation building, to which it would be attached, has the appearance of a large conventional new build dwelling house. Whilst it would have a pitched slate clad roof and its walls to its principle elevation would largely be finished in ashlar stone, large elements of the building would be finished externally in render, which is not characteristic of the conservation area.

The proposed accommodation block does not relate well with the modern, innovative, design of the chapel building and the resultant form and appearance of the structure overall is therefore jarring and incongruous.

Whilst the buildings would be screened to a degree from public elevations, the site will be more open than it currently is with the planned removal of 11 trees near the properties boundaries and with the openings proposed within the existing stone boundary wall. The new buildings will therefore be quite visible to people walking along Polwarth Terrace.

Overall, the proposed buildings will not demonstrate high standards of design and will not utilise materials appropriate to the historic environment. It would therefore be damaging to the character and appearance of the area around it.

There are a range of mature trees within the site and within the gardens of neighbouring properties that contribute to the character and appearance of the conservation area.

The largest of the mature trees which line the boundary of the site, along Polwarth Terrace, and which contribute to the character of the conservation area will remain. 11 trees within the site shall be removed in total, as was indicated under the approved PPP. The trees that will be removed however are largely category C trees, with only 2 being category B and one being category U. It is also noted in the original arboricultural report that many of the trees which shall be removed have been weakened by heavy ivy infestation. Replacement tree planting is proposed and if the application was to be granted it is recommended that this be conditioned as part of the consent.

Overall the loss of the proposed trees will not materially harm the character or appearance of the defined conservation area.

A small segment of the existing stone wall which faces Polwarth Terrace will be removed to facilitate a new pedestrian access to the site. The existing vehicular access to the site will also be expanded, however the stone gate posts at the entrance will be rebuilt once work has been completed. The stone walls along Polwarth Terrace already have a number of entrances present along them. The proposed works to the wall will not harm the appearance of the conservation area.

Whilst the proposed works to the boundary wall and the proposed removal of some trees within the site are acceptable, the proposed building does not demonstrate high standards of design and will not utilise materials appropriate to the historic environment.

The proposed building will be visible from Polwarth Terrace and it will not preserve the character and appearance of the conservation area.

Conclusion in relation to the conservation area

The proposal does not comply with Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not preserve the character or appearance of the conservation area.

b) Compliance with the Planning Permission in Principle

Planning Permission in Principle (application reference: (19/02753PPP) was granted for a new chapel and priest accommodation in the grounds of the existing house (as amended). This application is to approve matters a-d specified in condition 1 of planning permission in principle 19/02753/PPP.

Condition 1 of the PPP requires the submission of details of the siting, design and height of the development, including design of all external features, car and cycle

parking, access, road layouts and alignment, surface water and drainage arrangements including the submission of a surface water management plan and hard and soft landscaping details.

These have been submitted in accordance with the requirements of the condition.

The submitted details in relation to the reserved matters are fully assessed below.

Matter, a: Siting, design and height, including design of all external features.

Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regards to its height and form; scale and proportions, including the spaces between the buildings, position of buildings and other features on the site; and the materials and detailing.

The building would be sited in the north-west part of the existing garden as was indicated under the approved PPP. The proposed priest accommodation building and chapel would be set back from the street by approximately 14 metres. It would be located approximately 2-3.5 metres from the mutual boundary shared with No. 19 Polwarth Terrace. It would be located a minimum of 7 metres from the existing building on the site.

The proposed priest accommodation building would be two storeys in height, with a ridge height of approximately 8.1 metres. The depth of the proposed priest accommodation is approximately 19 metres.

The priest accommodation block would be externally finished largely in natural stone to its principle elevation whilst its side and rear elevation will be finished in render. Its pitched roof shall be finished in slates.

The proposed chapel is a building of a contemporary design and form. The proposed chapel would have a varying height up to a maximum of roughly 7.8 metres. It would be externally finished in cross laminated timber with a green sedum roof.

Although the development proposed is large, so is the overall site and given the size of the rear garden grounds that the property would have it cannot be considered overdevelopment, especially when other directly neighbouring properties are also constructed quite close to one and other and their mutually shared boundaries.

Whilst the proposed chapel is of a contemporary, modern design, which is attractive and appropriate to its wooded setting, utilising cross laminated timber for its walls, the proposed priest accommodation building has the appearance of a dwelling which would be expected within a modern, new-build, housing estate. Large elements of the priest accommodation building would also be finished externally in render, which is not characteristic of the surrounding area and is not fitting for the setting of the site. The building would therefore be an incongruous addition to the relatively traditional streetscape which is largely dominated by traditional stone built dwellings.

The form of the priest accommodation building also jars with the contemporary, modern design of the chapel and the overall design of the proposal is not based on an design concept that draws upon positive characteristics of the surrounding area.

Whilst the proposed buildings shall be set back from public elevations, they will still be visible, especially from Polwarth Terrace, as there will be a new entrance proposed in the existing wall and some of the existing trees along the boundary which face the street shall be removed.

The proposal will not contribute towards a sense of place and it has not been demonstrated that existing characteristics and features in the surrounding built environment have been identified and incorporated in the proposed buildings design.

The proposal would be damaging to the character and appearance of the area.

The proposal does not comply with LDP policy Des 1, Des 3 or Des 4.

Matter b: Car and Cycle parking, access, road layout and electric charging points.

Policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Policy Tra 3 states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

Policy Tra 4 states that cycle parking should be provided closer to building entrances than general car parking spaces and be designed in accordance with the standards set out in council guidance.

The site currently has off street car parking with a detached garage. The garage will be demolished and only two off street car parking spaces are proposed, which shall utilise the existing access. Electrical vehicle charging points are also proposed. A selection of cycle racks within the gardens of the property are proposed for visitors. The garden of the property will be substantial and cycles can also be stored within the existing sheds.

The site is accessible by public transport. Bus services are located nearby. Nearby bus stops are in close walking distance of the site.

The Roads Authority was consulted as part of the assessment of the application. It responded that it had no objections subject to certain conditions or informatives being

applied to the consent. If the application was to be granted it is recommended that the points raised in the Roads Authority consultation response be applied as informatives.

The proposal complies with LDP policy Tra 2, Tra 3 and Tra 4.

Matter c: Surface Water Management

Policy Env 21 (Flood Protection) seeks to ensure development does not result in increased flood risk or be at risk of flooding by demonstrating sustainable drainage measures.

A Surface Water Management Plan has been submitted. The proposals have been considered by the CEC Flooding Team. It had no objections to the proposal.

The proposal complies with LDP policy Env 21.

Matter d: Hard and Soft landscaping

As some detailed information relating to the hard and soft landscaping proposed, including tree planting still has to be finalised if the application was to be granted a condition requiring the approval of the hard and soft landscaping and its implementation, is recommended to be applied.

c) Other material planning considerations

Impact on Conservation Area

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The impact on the character and appearance of the conservation area has been considered above in part a). It was concluded that the development would impact on the character of the conservation area and would not preserve the appearance of the conservation area.

The proposal does not comply with LDP Policy Env 6.

<u>Amenity</u>

LDP policy Des 5 (Development Design -Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Amenity of neighbouring properties

Condition 3 of 19/02753/PPP states that *Prior to work commencing on site, a full specification of noise mitigation measures highlighting compliance with NR 15 criterion with regards to music/singing noise shall be submitted for the written approval of the Council as Planning Authority. Any noise mitigation measures shall be implemented prior to the commencement of the new development. This information has not been submitted. The condition applied to 19/02753/PPP regarding noise mitigation will still have to be discharged.*

The proposed windows in the front and rear of the development will look out over the applicants front and rear garden grounds. The proposal will only have one window which shall face towards the mutual boundary shared with No.19, however this will only provide light to a proposed hall. Even though the existing building at No. 21 is currently in the applicants ownership, in the future this building could be sold off. Adequate windows distances and privacy between the proposal and this building have been provided. If the application was to be granted it is recommended that the consent be conditioned so that further details of the proposed screening to be located around the balcony must be submitted for the written approval of the Council, prior to work commencing on site.

The applicant has provided sunlight/daylight information that shows that the proposal will have no material impact on neighbouring properties in terms of potential loss of sunlight and daylight. The directly neighbouring property has a converted building that is constructed up to the shared mutual boundary. There are no windows within the gable elevation of this converted building, however it does have a selection of rooflights that face towards the site. It is also noted that the No.19 has a bay window that partially looks out towards the site. However, as the Edinburgh Design Guidance states *Daylight to gables and side windows is generally not protected*. These rooflights and the bay window are very close to the mutual boundary and they cannot be protected for privacy and light as they are not set back sufficiently from the boundary to be "good neighbours" themselves, taking only their fair share of light.

The proposal will not cause the loss of an immediate view.

Amenity of future residents

There are no specific space or lighting standards for priest accommodation. However, the proposed building will provide good sized rooms that will be well lit and shall have access to excellent green space, attractive surroundings and accessible access to nearby services.

The proposal complies with LDP policy Des 5 in terms of amenity.

Ecology

LDP policy Env 16 (Species Protection) states that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law.

A stage 1 bat survey was submitted with the PPP application which confirmed that there were few opportunities for bats to roost within the site. The Council's Ecologist was consulted again in relation to this application and raised no concerns.

The proposal complies with LDP policy Env 16.

Trees

LDP policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention.

An objector has submitted an arboricultural tree report that states that the development will significantly harm the chestnut tree which is within their property and which is located close to the shared mutual boundary. The applicant submitted an arboricultural tree report as part of the PPP application. This stated that the chestnut tree in the neighbouring garden was sited very close to the boundary of the site and its branches currently overhang the applicant's property. The tree report concluded that due to the existing garage near to the tree and the presence of a stone boundary wall it would be very unlikely that any roots would be in the location of the proposed development. It also stated that due to the chestnut tree branches being in close proximity to a nearby BT pole and cables it was evident that the tree had been subject to numerous pruning and branch shedding works in the past. The report concluded that only two limbs belonging to the tree would have to be removed and that these required works would not harm the vitality of the tree or materially damage the visual amenity of the conservation area. This was accepted when the PPP was approved under extended delegated powers.

An updated arboricultural tree report has also been submitted with this AMC application. It states that *The removal of two limbs from the chestnut tree would be well within the tolerable extent of pruning set out in BS 3998 and overall the vitality of the tree would not be compromised, thereby protecting the amenity currently provided by it.*

The proposed buildings will not harm the neighbouring chestnut tree or any other trees that will be retained within the site.

The updated arboricultural tree report recommends certain construction and excavation measures to be carried out within defined root protection areas. If the application was to be granted it is recommended that a condition be applied that states that details of all excavation and construction methods within defined root protection areas shall be submitted for the written approval of the Planning Service prior to work commencing on site.

The proposal complies with LDP policy Env 12.

Scottish Planning Policy (SPP)

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposed development will not protect and enhance the historic environment. The development therefore does not comply with the 13 SPP principles and it does not represent sustainable development.

Emerging policy context

The Draft National Planning Framework 4 has been consulted on and has not yet been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

While City Plan 2030 represents the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

The Equality Act 2010 makes it unlawful to discriminate against someone because of religion or belief, or because of a lack a religion or belief.

The Human Rights Act 1998 states that all public authorities and other bodies carrying out public functions have to act consistently with the European Convention on Human Rights. One of these rights, Article 9, protects freedom of thought, conscience and religion.

The proposed building would provide a new chapel and priest accommodation for worshippers and priests. However, if the application was to be refused then worshippers and priests would still have access to the existing long established building which functions as a church with priest accommodation.

Disability is also one of the nine protected characteristics in the Equality Act 2010.

A new access is proposed from Polwarth Terrace which shall lead up to the priest accommodation building and chapel. This path will not have steps and will be of an appropriate gradient to provide for disabled access.

The application has been considered with reference to equalities and human rights.

Public Comments

Thirty-Five letters of objection were received including one from the Community Council. The contents of which are summarised below.

Merchiston Community Council Objection

- Contrary to Des 1, Element of front wall should not be removed addressed in section b
- Contrary to Des 4. Concerns in relation to design, scale and materials of priest accommodation and chapel addressed in section b
- Contrary to Des 5. Impact on residential amenity addressed in section b.

Material objections

Overdevelopment of site - addressed in section b

- Scale, form, design and materials unacceptable, not in compliance with LDP policies addressed in section b
- Impact on trees and ecology unacceptable addressed in section b
- Overlooking and loss of privacy addressed in section b
- Overshadowing/loss of sunlight and daylight addressed in section b
- Traffic impact and road/pedestrian safety addressed in section b
- Impact on conservation area and visual amenity and setting of area addressed in section b.

Non Material Objections

- Construction noise and disruption.
- · What if the building was sold in the future.
- Principal of development not acceptable The principle of the development has been established under 19/02753/PPP.
- Property could be used for all uses under planning use class 10.- The overall site already falls within an unrestricted class 10 use. The principle of the development has been established under 19/02753/PPP.
- Loss of view

Conclusion in relation to identified material considerations

The form and design of the proposal is unacceptable as it will not preserve or enhance the character or appearance of the Conservation Area.

Overall conclusion

The principle of the development was established through planning permission in principle (PPP) 19/02753/PPP.

However, the proposed development does not comply with section 64 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as the proposal will not preserve the character and appearance of the defined conservation area.

The form and design of the proposal is unacceptable and it does not accord with policies Des 1, Des 3, Des 4 or Env 6 of the adopted Edinburgh Local Development Plan. The proposal also does not comply with the 13 policy principles of sustainable development set out in Scottish Planning Policy (SPP). There are no other material considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal does not comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it does not preserve or enhance the character of the conservation area.

- 2. The proposal is contrary to the adopted Local Development Plan Policy Env 6 in respect of Conservation Areas-Development, as it will not preserve or enhance the special character or appearance of the conservation area.
- 3. The proposal is contrary to the adopted Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the development is inappropriate design damaging to the character and appearance of the area around it.
- 4. The proposal is contrary to the adopted Local Development Plan Policy Des 4 in respect of Development Design- Impact on Setting, as the proposal will not have a positive impact on its surroundings, including the character of the wider townscape and landscape.
- 5. The proposal is contrary to Local Development Plan Policy Des 3 in respect of Development Design Incorporating and Enhancing Existing and Potential Features, as it has not been demonstrated that existing characteristics and features in the surrounding built environment have been identified and incorporated in the proposed buildings design.

Background Reading/External References

To view details of the application go to the Planning Portal

Further Information - Local Development Plan

Date Registered: 15 September 2021

Drawing Numbers/Scheme

01b,02b,04c,05a,06b,07,08,09,10,11,12c,13b,14

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Robert McIntosh, Planning Officer E-mail:robert.mcintosh@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Flood Planning

COMMENT: Thanks for the confirmation of the low risk of blockage and planned private maintenance of the drainage infrastructure.

This application can now proceed to determination, with no further comments from CEC

Flood Planning.
DATE: 18 March 2022

NAME: Roads Authority

COMMENT: Summary Response

No objections subject to appropriate conditions and informatives.

Full Response

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should note that the proposed vehicular access will require amendment to the existing on-street parking provision. A contribution of up to £2,000 may be required to progress a suitable traffic regulation order to amend parking provision at the location of the proposed vehicular access;
- 2. The applicant should be advised that, as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See

https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committe

e/20130604/Agenda/item 77 -

_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category D -

New Build);

3.Off-street parking:

a.should be accessed by dropped kerb (i.e. not bell mouth);

b.should be paved with a solid material for a length of 2 metres nearest the road to prevent deleterious material (e.g. loose chippings) being carried on to the road; c.any gate or doors must open inwards onto the property;

d.any hard-standing outside should be porous;

e.the works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1 4.Electric vehicle charging outlets should be considered for this development.

DATE: 24 June 2022

The full consultation response can be viewed on the Planning & Building Standards Portal.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Rhian Davidson

Address: 19 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to strongly object to the new proposals at 21 Napier Road for the future and welfare of this leafy residential neighbourhood and because of the detrimental impact it has on our own property at 19 Polwarth Terrace

1. Section 64 (listed Buildings and Conservation Areas) (Scotland) Act 1997.

As this development is within a conservation area the Council has a statutory duty to give special protection to the trees and to ensure the development either protects or enhances the area. As far as I am aware, there has not been a British standards Tree survey conducted and therefore there is a lack of properly informed analysis of the constraints of the site.

I also wish to bring attention to the Horse Chestnut tree at the border wall within the grounds at 19 Polwarth Terrace

The Christian Community have drawn our tree on their plans but have never requested our permission to survey this tree whilst we have had ownership of the house since January 2020 and therefore I am not sure how they can accurately represent the tree on the plans.

We have conducted our own independent British standards tree survey conducted on this tree dated 30th August 2021. The summary details have been included at the end of the comments. I would be happy to provide a full copy if you could let me know the email address to send this to? As can be seen clearly to enable the build to proceed within the proximity to 19 Polwarth Terrace, the crown of the tree will need to be heavily cut back. This is not being shown on their drawings. The report summary reports that the recommendations of our survey are such that the development CANNOT be achievable in arboriculture terms as IT WILL RESULT IN THE LOSS of

a significant chestnut in our grounds. This will undoubtedly make the new building more visible in Polwarth Terrace.

2. Under the Edinburgh Local Development Plan Policy 4-Impact on Setting

'Planning permission would be granted if the development can demonstrate that it will have a positive impact on its surroundings including the character of the wider townscape and landscape' I believe the design quality is poor with regards to both aesthetics and amenity.

o Section a height and form

The proposed buildings are incongruous within this residential area. The accommodation and community centre block dwarf the church and the link between the two buildings lacks in harmony. The timber church is not in keeping with the surroundings. The façade of the accommodation building facing the onto the street is not attractive and does nothing to enhance the area. The window arrangement is unattractive.

o Section b Scale and ProportionsI strongly feel that this is Over Development of the site

I believe the site is not big enough to fit everything the Christian community are seeking without adversely affecting residential amenity. I am looking for a reduction to the footprint of the building away from protected trees. The mass and volume of the building has substantially increased, and the residential building overwhelms the church.

o Section c Position of buildings and other features on the site

The proposed buildings are very close to the boundary wall of 19 Polwarth Terrace. The Exterior steps are only 2045mm from the boundary at 19 Polwarth Terrace and 3500 mm for the building. The proposed site is too close to our boundary wall and the exterior steps quite frankly will be very ugly to look onto from our living area.

o Section d Materials and detailing

This is of timber construction with rendered walls (except for sandstone to the front wall). This design is more suitable for a suburban new development but not within his period Victorian residential area. The proposed materials are not congruous to the surrounding area. The materials proposed for the church and the accommodation don't great an ecclesiastical feel, are different and a contrast to the sandstone at Napier Road

3. The proposed property will be the Christian Community head office for Scotland

Currently the Christian Community conduct their weekly services and events privately within the

residential house of 21 Napier Road.

This new build provides significant opportunity for enhancement of their services and events which will inevitably increase footfall, traffic and noise and affect the amenity of the neighbouring properties. This could encroach on our privacy and peace. I am concerned about the level of traffic on Polwarth terrace as this is already congested with the Tennis and Bowls club.

- 4. I also have concerns about any future use of this building should the Christian Community decide to move on to another location and could become any one of a number of commercial enterprises.
- a 'Church' falls under Class 10. Non- residential institutions. At any point in the future the Church once built and if sold, could change to any of the following commercial uses-

as a creche, day nursery or day centre

for the provision of education

for the display of works of art (otherwise than for sale or hire)

as a museum

as a public library or public reading room

as a public hall or exhibition hall

for or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body

- 5. On a more personal level, My mother of 84 lives with us adjacent to the garage in single storey accommodation. This is very close to the border and away from her living space with velux windows to her living area. Again, invading her privacy and peace.
- 6. We already have planning permission for the conversion of our single storey garage to living accommodation with sky lights to the rear. This design will be significantly impacted with loss of light and privacy.
- 7. One of our bedrooms adjacent to the proposed build is significantly lower in height than the proposed building. There is a canter levered window with a lovely aspect at present which would be literally blocked with a rendered wall only a few metres away.

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www.hinshelwoodarb.com
BS 5837:2012 Tree Survey
19 Polwarth Terrace, Edinburgh

On Behalf of Mr & Mrs R Davidson 30 August 2021 19 Polwarth Terrace, Edinburgh Summary

An arboricultural survey has been carried out and this report prepared to evaluate a full planning application to construct a new church and priest accommodation at 21 Napier Road directly to the east of the property of my clients at 19 Polwarth Terrace and under the canopy of the chestnut. This report provides information in compliance with British Standard BS 5837:2012, Trees in relation to design, demolition and construction and considers the effect the proposed development has on the local character from a tree perspective. The report's purpose is to properly allow the local planning authority to assess the tree information as part of the planning submission and bring to their attention the lack of information provided as part of that application. One individual tree, a chestnut, has been assessed in accordance with BS 5837.

With the information made available as part of the online application it is clear that the chestnut in the grounds of 19 Polwarth Terrace has not been properly assessed. The positioning and ridge height of the building proposed at 21 Napier Road will facilitate in the crown reduction of the tree that will damaging to the trees future health and because of the excessive reduction have a negative impact on the landscape character of the local conservation area there are contrary to the policies set in the development plan.

The focus of the report is on tree T0101 a chestnut. For reasons of level differences the ground works will have no impact on the roots of the tree (The levels are approximately 1.5 metres lower on 21 Napier Road). However, the above ground constraints have not been investigated properly. These should have been clearly indicated by the applicant by the accurate crown spread of tree and include its ultimate spread, along with a shade pattern. This would give an indication of the patterns of shadows created by trees around midday in the summer. This is as recommended by BS 5837 (Section 5.2.2). Where shading is likely to be a serious constraint, a more detailed analysis of shade pattern using proprietary software may be deemed necessary. The proposed accommodation has been designed to have roof ridge that is constructed into the crown of the chestnut and above the existing ridge height of 19 Polwarth Terrace. The report contains a draft arboricultural method statement head of terms in accordance with recommendations in Table B1 of BS 5837.

It is recommended that a detailed arboricultural method statement is produced in response to the current proposal. This would describe in detail how the chestnut tree found at 19 Polwarth Terrace will be protected from the development and the methods of work close to trees. This report must contain details common to most development proposals.

The recommendations made within BS 5837 2012, are such that the development cannot be achievable in arboricultural terms as it will result in the loss of the significant chestnut found in 19 Polwarth Terrace and cannot be acceptable to the local planning authority's Policy Env 12 Trees. Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention.

Hinshelwood Arboricultural Consultants

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Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Helen John

Address: 19 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I live with my daughter and her husband in single storey accommodation adjacent to the garage and on the border of the proposed new building at the Ettrick Cottage. I am 84 years old. I don't have my own email address so will need to register with my daughter's email.

These are my personal reasons for objection to the new proposals at 21 Napier Road -

o I am worried about the effect of light and privacy as there are Velux windows to the rear and to my daughter's living space.

o It also is worrying me that our peaceful home will be invaded with the increase of people coming and going. I am concerned about my well-being as the building is proposed so close to the boundary. The building will literally be 3.5 metres from my headboard!

o The thought of the build itself is frightening me as it will be so intensely close to me and I spend the whole day most days in my area of the home. I am worrying that I won't cope with the noise and disruption.

o The mass and volume of the building has substantially increased, and the residential building overwhelms the church.

o The new accommodation doesn't feel aesthetically pleasing.

have great concern for the conservation of the trees in the grounds and the horse chestnut ir r driveway which I am very fond of.	1

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Ms Ann MacDonald

Address: 11b Ettrick Rd Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the change of use proposed from a residential garden area a church with a sitting capacity for over 50 people, plus communal kitchen and meeting space opening onto the gardens.

Under section 64 planning (listed buildings and conservation areas Scotland) Act, as the site is in a conservation area there is a need to ensure development either enhances or protects the area. I cannot see how this change of use and the resultant impact of traffic & noise does this. It detracts from the residential area. Currently the activities of the church are restricted to the internal space of 21 Napier Rd and the scale of that building. This introduces a new large meeting space onto Polwarth Terrace and will be encouraging the use of it's garden area when functions are on. While this application is for a Church it may be used in the future by any class 10 uses.

With regard to Edinburgh Local Plan Policy 4 requirements:

I regard the form to be incongruous with the surrounding properties

The proposed position of the development in relation to the neighbouring property of 19 Polwarth Terrace is too close to it's boundary and will cause overshadowing.

The materials and form proposed for the Church are out of

keeping with the sandstone of the surrounding buildings

The amenity of the neighbourhood and particularly the houses immediately adjacent and opposite will be negatively affected by increased noise levels from more footfall, traffic and events spilling out into the garden area.

The scale and proportion of the building nd in particular it's closeness to the boundary with 19

Polwarth Terr.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Roderick Davidson

Address: Ettrick Cottage 19 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to strongly object to the new proposals at 21 Napier Road for the future and welfare of this leafy residential neighbourhood and because of the detrimental impact it has on our own property at 19 Polwarth Terrace

1. Section 64 (listed Buildings and Conservation Areas) (Scotland) Act 1997.

As this development is within a conservation area the Council has a statutory duty to give special protection to the trees and to ensure the development either protects or enhances the area. As far as I am aware, there has not been a British standards Tree survey conducted and therefore there is a lack of properly informed analysis of the constraints of the site.

I also wish to bring attention to the Horse Chestnut tree at the border wall within the grounds at 19 Polwarth Terrace

The Christian Community have drawn our tree on their plans but have never requested our permission to survey this tree whilst we have had ownership of the house since January 2020 and therefore I am not sure how they can accurately represent the tree on the plans.

Please find attached our own independent British standards tree survey conducted on this tree dated 30th August 2021. As can be seen clearly to enable the build to proceed within the proximity to 19 Polwarth Terrace, the crown of the tree will need to be heavily cut back. This is not being shown on their drawings.

The report summary reports that the recommendations of our survey are such that the

development CANNOT be achievable in arboriculture terms as IT WILL RESULT IN THE LOSS of a significant chestnut in our grounds. This will undoubtedly make the new building more visible in Polwarth Terrace.

2. Under the Edinburgh Local Development Plan Policy 4-Impact on Setting

'Planning permission would be granted if the development can demonstrate that it will have a positive impact on its surroundings including the character of the wider townscape and landscape' I believe the design quality is poor with regards to both aesthetics and amenity.

o Section a height and form

The proposed buildings are incongruous within this residential area. The accommodation and community centre block dwarf the church and the link between the two buildings lacks in harmony. The timber church is not in keeping with the surroundings. The façade of the accommodation building facing the onto the street is not attractive and does nothing to enhance the area. The window arrangement is unattractive.

o Section b Scale and ProportionsI strongly feel that this is Over Development of the site

I believe the site is not big enough to fit everything the Christian community are seeking without adversely affecting residential amenity. I am looking for a reduction to the footprint of the building away from protected trees. The mass and volume of the building has substantially increased, and the residential building overwhelms the church.

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The proposed buildings are very close to the boundary wall of 19 Polwarth Terrace. The Exterior steps are only 2045mm from the boundary at 19 Polwarth Terrace and 3500 mm for the building. The proposed site is too close to our boundary wall and the exterior steps quite frankly will be very ugly to look onto from our living area.

o Section d Materials and detailing

This is of timber construction with rendered walls (except for sandstone to the front wall). This design is more suitable for a suburban new development but not within his period Victorian residential area. The proposed materials are not congruous to the surrounding area. The materials proposed for the church and the accommodation don't great an ecclesiastical feel, are different and a contrast to the sandstone at Napier Road

3. The proposed property will be the Christian Community head office for Scotland

Currently the Christian Community conduct their weekly services and events privately within the residential house of 21 Napier Road.

This new build provides significant opportunity for enhancement of their services and events which will inevitably increase footfall, traffic and noise and affect the amenity of the neighbouring properties. This could encroach on our privacy and peace. I am concerned about the level of traffic on Polwarth terrace as this is already congested with the Tennis and Bowls club.

- 4. I also have concerns about any future use of this building should the Christian Community decide to move on to another location and could become any one of a number of commercial enterprises.
- a 'Church' falls under Class 10. Non- residential institutions. At any point in the future the Church once built and if sold, could change to any of the following commercial uses-

as a creche, day nursery or day centre

for the provision of education

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as a public library or public reading room

as a public hall or exhibition hall

for or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body

- 5. On a more personal level, My mother of 84 lives with us adjacent to the garage in single storey accommodation. This is very close to the border and away from her living space with velux windows to her living area. Again, invading her privacy and peace.
- 6. We already have planning permission for the conversion of our single storey garage to living accommodation with sky lights to the rear. This design will be significantly impacted with lose of light and privacy.
- 7. One of our bedrooms adjacent to the proposed build is significantly lower in height than the proposed building. There is a canter levered window with a lovely aspect at present which would be literally blocked with a rendered wall only a few metres away.

And finally it would appear that there has been no new tree survey undertaken by the applicant at 21 Napier Road and therefore I have enclosed a summary Independent report that we actioned for your review. The report by Mr. Hinshelwood suggests that the Chestnut tree on the property of 19 Polwarth Terrace would be severely affected by the development as it stands in the application.

Thanks for reading this Objection.

Rod Davidson

Summary

An arboricultural survey has been carried out and this report prepared to evaluate a full planning application to construct a new church and priest accommodation at 21 Napier Road directly to the east of the property of my clients at 19 Polwarth Terrace and under the canopy of the chestnut. This report provides information in compliance with British Standard BS 5837:2012, Trees in relation to design, demolition and construction and considers the effect the proposed development has on the local character from a tree perspective. The report's purpose is to properly allow the local planning authority to assess the tree information as part of the planning submission and bring to their attention the lack of information provided as part of that application. One individual tree, a chestnut, has been assessed in accordance with BS 5837.

With the information made available as part of the online application it is clear that the chestnut in the grounds of 19 Polwarth Terrace has not been properly assessed. The positioning and ridge height of the building proposed at 21 Napier Road will facilitate in the crown reduction of the tree that will damaging to the trees future health and because of the excessive reduction have a negative impact on the landscape character of the local conservation area there are contrary to the policies set in the development plan.

The focus of the report is on tree T0101 a chestnut. For reasons of level differences the ground works will have no impact on the roots of the tree (The levels are approximately 1.5 metres lower on 21 Napier Road). However, the above ground constraints have not been investigated properly. These should have been clearly indicated by the applicant by the accurate crown spread of tree and include its ultimate spread, along with a shade pattern. This would give an indication of the patterns of shadows created by trees around midday in the summer. This is as recommended by BS 5837 (Section 5.2.2). Where shading is likely to be a serious constraint, a more detailed analysis of shade pattern using proprietary software may be deemed necessary. The proposed accommodation has been designed to have roof ridge that is constructed into the crown of the chestnut and above the existing ridge height of 19 Polwarth Terrace. The report contains a draft arboricultural method statement head of terms in accordance with recommendations in Table B1 of BS 5837.

It is recommended that a detailed arboricultural method statement is produced in response to the current proposal. This would describe in detail how the chestnut tree found at 19 Polwarth Terrace will be protected from the development and the methods of work close to trees. This report must contain details common to most development proposals.

The recommendations made within BS 5837 2012, are such that the development cannot be achievable in arboricultural terms as it will result in the loss of the significant chestnut found in 19

Polwarth Terrace and cannot be acceptable to the local planning authority's Policy Env 12 Trees. Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention.

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Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Dr Ian Sword

Address: 13 Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the above Planning Application on the basis that:

- 1. It constitutes an overdevelopment of the site .
- 2. Design, construction materials and finishes are inconsistent with development in the Conservation Area and are unsympathetic to the grand Victorian mansion house on the site.
- 3. The proposed development will lead to significantly increased vehicular traffic in an area already prone to over-parking from tennis, bowls and football matches (the latter at the nearby stadium).
- 4. Within the curtilage of the grand mansion house are many magnificent specimen trees (already in need of significant maintenance) and the published documents appear to underestimate the impact of the development on the canopy of at least one magnificent chestnut tree (which will inevitably lead to increased visibility of the development from Polwarth Terrace).

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Linda Staines

Address: 19/6 Ettrick Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This building is not in keeping with the conservation area. This is not primarily a residential building. It is a Church which will invite considerable extra traffic and parking problems. The building is not in local style and the architects and applicants have made no effort for it to fit with the style of local buildings. This is a residential area and should remain as such.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Daca Mickel

Address: 28 Napier Road EDiburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I object for the following:

1. Impact on setting: The proposed buildings are incongruous with the residential are. Concerned with the overdevelopment of the site

The proposed buildings are very close to the boundary wall of 19 Polwarth terrace. The design of the building is not within the Victorian residential area.

- 2. Concerned that an active Christian church will impact on the noise & privacy of neighbourhood. This is already an issue at present and will only become worse. We are already overlooked at 28 Napier Road and parking is a regular issue during Christian community busy times. In addition, there is proposed residential accommodation within the planning, where will the parking be? Polwarth Terrace is already struggling for parking and Napier Rd becomes very busy (particularly in front of 28 Napier Road.
- 3. If planning is granted, 21 Napier Rd can be sold together and could change to any other commercial uses: a creche, day nursery, education provision, a museum, public library, exhibition hall etc. This would just increase the volume of noise, disrupt privacy and cause a huge impact on our residential area.

The community already have a beautiful church - Polwarth Parish Church. Why cant they use this church?

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Dr Colwyn Jones

Address: 11B Ettrick Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the change of use proposed in this application from a residential garden to a church with a sitting capacity for over 50 people, plus communal kitchen and meeting space opening onto the gardens.

Under section 64 planning (listed buildings and conservation areas Scotland) Act, as the site is in a conservation area there is a need to ensure development either enhances or protects that conservation area. The proposed change of use and the resultant impact of traffic & noise neither neither enhances nor protects this residential area. Currently activities are restricted to the internal space of the existing 21 Napier Road within that building. This proposal would introduces a new large meeting space onto Polwarth Terrace and will use the garden area when functions are on. While this application is for a Church it may be converted in the future to any class 10 use which would inevitably further detract from the conservation area status.

The proposed position of the development in relation to the neighbouring property of 19 Polwarth Terrace is too close to it's boundary and will cause overshadowing.

The materials and form proposed for the Church are out of keeping with the sandstone of the surrounding buildings.

The amenity of the neighbourhood and particularly the houses immediately adjacent and opposite will be negatively affected by increased noise levels from more footfall, traffic and events spilling out into the garden area.

The scale and proportion of the building is too large particularly it's closeness to the boundary with

19 Polwarth Terrace.

The application has not been properly undertaken as a mature deciduous tree (Chestnut) will be adversely affected if it were approved.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Alice Cavaye

Address: 24/2 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This seems much larger than the previous rejected applications. I object to the

proposed height of the building.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr David Staines

Address: 19/6 Ettrick Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The architectural style and materials proposed are not in keeping with this conservation area. It will be a blot on the landscape, and will create parking problems and potential noise problems from numerous people who would not otherwise be in the area.

The area is already well served by churches.

I am not convinced that, in the event that planning permission is granted, the Christian community will not decide against the current plan and use the permission in order to make money from a residential development.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Ally Miller

Address: Harelaw Farmhouse Longniddry

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I strongly object to the proposed plans as the structure is close to the boundary and will damage the old trees in the conservation area. In my opinion the proposed design of the building is also not in keeping with the local area and the added traffic and noise levels around the street will inevitably increase. Looking at the elevations of the proposed building, the 2 stories and roof, right next to the boundary will block sunlight into neighbouring properties and extremely invasive!

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr alan sinclair

Address: 4 Ashley Gardens Edinburgh

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As part of the local Tennis & Bowling Club we are concerned about the volume of traffic & parking this will create. esp as the access is right across from our main entrance We have over 300 members and when league matches & competitions are on as well as tennis coaching Polwarth Terrace becomes very busy. Parking is at a premium anyway but this development is going to impact on it even more

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs GILL SALVESEN

Address: 11 NAPIER ROAD EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this application on the following grounds:

- 1. It is not in keeping with the appearance of the conservation area, which is characterised by solid stone built villas. Where extensions or garden development has been allowed, this is of solid stone built appearance to echo the character of the original villas. This development consists of a wooden church which looks temporary in nature. The priest house facing Polwarth Terr is more in keeping with 1960s estate housing, behind which would be a characterless accommodation block served by an external stair. None of these buildings relate in style to those in the area, and they do not relate to each other as a coherent development.
- 2. The proposal would require the cutting back of a magnificent chestnut tree on neighbouring ground and this is likely to be fatal to the tree. The tree serves as significant screening from the road for any building on the proposed site. Its loss would leave the development very visible from the road. The ground rises away from the road.
- 3. The proposal in effect doubles the density of usage on the garden ground of 21 Napier Road, with implications for traffic. The development would increase the vehicle and pedestrian usage, especially when considering the additional traffic on Polwarth Terr from tennis and bowling clubs and during football and rugby matches.
- 4. The existing villa would overlook a hotchpotch of poorly designed buildings which would not be in keeping with the building style of the area, all built very close to the villa and thereby spoiling its traditional setting.

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Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Ms Jane Coull

Address: 9B Ettrick Rd Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to object to the proposed developed at 21 Napier Rd. In particular, the inevitable increase in noise, people,traffic and parking in the vicinity. The proposal also disregards the conservation rules in the area: the buildings would not be in keeping with existing structures. I'm also extremely concerned about the effect of the development on wildlife and mature trees especially the horse chestnut tree on the border with number 19. A private survey indicates the development would result in the loss of this beautiful tree.

I sincerely hope the Council will see fit to refuse planning permission for this new application. The Christian Community is seeking to gain a great many amenities from the site at 21 Napier Rd. Can they not build something far less ambitious, less incongruous and less damaging to the surrounding area?

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Ms Jane Coull

Address: 9B Ettrick Rd Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to object to the proposed developed at 21 Napier Rd. In particular, the inevitable increase in noise, people,traffic and parking in the vicinity. The proposal also disregards the conservation rules in the area: the buildings would not be in keeping with existing structures. I'm also extremely concerned about the effect of the development on wildlife and mature trees especially the horse chestnut tree on the border with number 19. A private survey indicates the development would result in the loss of this beautiful tree.

I sincerely hope the Council will see fit to refuse planning permission for this new application. The Christian Community is seeking to gain a great many amenities from the site at 21 Napier Rd. Can they not build something far less ambitious, less incongruous and less damaging to the surrounding area?

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr MIKE SALVESEN

Address: 11 NAPIER ROAD EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the proposal on the following grounds:

- 1. The proposed development is not in keeping with the appearance of the conservation area which is characterised by solid stone built villas. The three built elements of the proposal are not of this nature, the church element in particular being of wooden construction, looking temporary in nature. The design does not form a coherent whole, and it does not reflect the character of the building in the area.
- 2. The construction process would adversely affect a significant chestnut tree on neighbouring property. The loss of the tree would be detrimental to the appearance of the area and make this incongruous development highly visible from the road.
- 3. There would be an increase in vehicle and pedestrian traffic on Polwarth Terrace, already subject to busy parking and footfall due to bowling and tennis club use, and parking for Tynecastle and Murrayfield matches. it is likely that any new owner of the original villa would seek additional gateways to allow parking on the plot, current car access being encompassed in this proposal for the church.
- 4. The proposal would result in an increase in the density of building on what has always been an eye-catching grand villa with beautiful garden ground. The development would severely affect the setting of the villa, and the character of the conservation area.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Elspeth Fairgrieve

Address: 9B Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed buildings are still not in keeping with the rest of the area. They are too big and too close to neighbouring properties. The design will look out of place in such a beautiful area. The road is not designed to have any more parking than there already is. Polwarth Terrace is now a busy street with parking on both sides. As a member of the tennis club, there are many young children in the area and with so many parked cars and the reality there will be more, this is dangerous and not in keeping with a suburban area. The current building at 21 Napier Road is more than big enough to accommodate the church services that are needed. Anything else is simply becoming a commercial opportunity.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Miss Emma Fairgrieve

Address: 9B Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed buildings are still not in keeping with the rest of the area. They are too big and too close to neighbouring properties. The design will look out of place in such a beautiful area. The road is not designed to have any more parking than there already is. Polwarth Terrace is now a busy street with parking on both sides. As a member of the tennis club, there are many young children in the area and with so many parked cars and the reality there will be more, this is dangerous and not in keeping with a suburban area. The current building at 21 Napier Road is more than big enough to accommodate the church services that are needed. Anything else is simply becoming a commercial opportunity.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Brian Fairgrieve

Address: 9B Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed buildings are still not in keeping with the rest of the area. They are too big and too close to neighbouring properties. The design will look out of place in such a beautiful area. The road is not designed to have any more parking than there already is. Polwarth Terrace is now a busy street with parking on both sides. As a member of the tennis club, there are many young children in the area and with so many parked cars and the reality there will be more, this is dangerous and not in keeping with a suburban area. The current building at 21 Napier Road is more than big enough to accommodate the church services that are needed. Anything else is simply becoming a commercial opportunity.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Elaine Weir

Address: 13 Merchiston Gardens Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to strongly object to the new proposals at 21 Napier Road for the future of this

residential neighbourhood.

My reasons for objecting include:

1. Section 64 (listed Buildings and Conservation Areas) (Scotland) Act 1997.

As this development is within a conservation area the Council has a statutory duty to give special protection to the trees and to ensure the development either protects or enhances the area. As far as I am aware, there has not been a British standards Tree survey conducted and therefore there is a lack of properly informed analysis of the constraints of the site.

I also wish to bring attention to the Horse Chestnut tree at the border wall within the grounds at 19 Polwarth Terrace

The Christian Community have drawn the chestnut tree on their plans but have never requested the owner's permission to survey this tree whilst they have had ownership of the house since January 2020 and therefore I am not sure how they can accurately represent the tree on the plans.

Please find attached an independent British standards tree survey conducted on this tree dated 30th August 2021. As can be seen clearly to enable the build to proceed within the proximity to 19 Polwarth Terrace, the crown of the tree will need to be heavily cut back. This is not being shown on their drawings.

The report summary reports that the recommendations of the owner's survey are such that the

development CANNOT be achievable in arboriculture terms as IT WILL RESULT IN THE LOSS of a significant chestnut in our grounds. This will undoubtedly make the new building more visible in Polwarth Terrace.

2. Under the Edinburgh Local Development Plan Policy 4-Impact on Setting

'Planning permission would be granted if the development can demonstrate that it will have a positive impact on its surroundings including the character of the wider townscape and landscape' I object on the basis that the criteria are not met under the current plans.

o Section a height and form

The proposed buildings are incongruous within this residential area.

o Section b Scale and Proportions

I strongly feel that this is Over Development of the site.

I believe the site is too small to fit everything the Christian community are trying to achieve without adversely affecting residential amenity.

o Section d Materials and detailing

This is of timber construction with rendered walls (except for sandstone to the front wall). This design is more suitable for a suburban new development but not within his period Victorian residential area. The proposed materials are not congruous to the surrounding area.

3. The proposed property will be the Christian Community head office for Scotland

Currently the Christian Community conduct their weekly services and events privately within the residential house of 21 Napier Road.

This new build provides an opportunity to increase the number of attendees to their services and events which will inevitably increase footfall, traffic and noise. I am concerned about the level of traffic on Polwarth Terrace as this is already congested with the Tennis and Bowls club. The club offers classes for young children, their safety in the dark has to be considered if the level of traffic / parked cars increases.

- 4. I also have concerns about any future use of this building should the Christian Community decide to move on to another location and could become any one of a number of commercial enterprises.
- a 'Church' falls under Class 10. Non- residential institutions. At any point in the future the Church

once built and if sold, could change to any of the following commercial usesas a creche, day nursery or day centre
for the provision of education
for the display of works of art (otherwise than for sale or hire)
as a museum
as a public library or public reading room
as a public hall or exhibition hall

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Andrew Weir

Address: 13 Merchiston Gardens Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to strongly object to the new proposals at 21 Napier Road for the future of this residential neighbourhood.

1. Section 64 (listed Buildings and Conservation Areas) (Scotland) Act 1997.

This development is within a conservation area therefore the Council has a statutory duty to give special protection to the trees and to ensure the development either protects or enhances the area.

To my knowledge, a British standards Tree survey has not been conducted.

I also wish to bring attention to the Horse Chestnut tree at the border wall within the grounds at 19 Polwarth Terrace.

The Christian Community have drawn the chestnut tree on their plans but have never requested the owner's permission to survey this tree whilst they have had ownership of the house since January 2020.

2. Under the Edinburgh Local Development Plan Policy 4-Impact on Setting

'Planning permission would be granted if the development can demonstrate that it will have a positive impact on its surroundings including the character of the wider townscape and landscape' I object on the basis that this condition is not fully met.

o Section a height and form

The proposed buildings are incongruous within this residential area.

o Section b Scale and Proportions

The planned development is Over Development of the site.

I believe the site is not large enough for the proposed development.

o Section d Materials and detailing

This is of timber construction with rendered walls. The proposed materials are not congruous to the surrounding area.

3. The proposed property will be the Christian Community head office for Scotland.

The number of attendees to their services and events would increase thus resulting in increased footfall, traffic and noise. This area is already subject to a lot of traffic from Merchiston Lawn Tennis and Bowling Club,

- 4. I have concerns about any future use of this building should the Christian Community decide to sell the property. It could become any one of a number of commercial enterprises.
- a 'Church' falls under Class 10. Non- residential institutions. At any point in the future the Church once built and if sold, could change to any of the following commercial uses-

as a creche, day nursery or day centre

for the provision of education

for the display of works of art (otherwise than for sale or hire)

as a museum

as a public library or public reading room

as a public hall or exhibition hall.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Miss Amy Davidson

Address: 19 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the planned proposal of a chapel and living accommodation due to the effect of damaging trees in a conservation area. In addition to this it is close to the boundaries of neighbouring properties - it is proposed to be two stories and this would be intruding and invasive to neighbours privacy. There would also be an increased noise level to a mostly residential street.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr John Millar

Address: 18 Merchiston Crescent Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I consider this plan to be over development within a residential area. I'm also concerned about the old trees that will be destroyed on the grounds and in neighbouring properties.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr David Edwards

Address: 24B/7 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 1. I am objecting under Section 64 planning (listed Buildings and Conservation Areas)

(Scotland) Act 1997

My property overlooks the proposed development which is within a Conservation Area to which the council under section 64 has a statutory duty to give special protection.

According to a full Arboricultural Survey dated 30 August 2021 (which the applicants of the proposed development have not themselves produced), this development will result in the loss of a significant mature chestnut tree in the neighbouring property at 19 Polwarth Terrace, which will considerably detract from the treed nature of the whole of this Conservation Area.

2. I am objecting under the Edinburgh Local Development Plan Policy 4- Impact on Setting.

Under section a, I object on the grounds that architectural style of the proposed development is not in keeping with the overall Victorian residential nature of the neighbourhood.

3. I am objection under Policy 5 Development Design-Amenity

The proposed development is designed to be the Head Office for The Christian Community in Scotland, which will inevitably result in a far greater impact on the noise, traffic and disturbance in the neighbourhood than is currently the case. This will considerably change the nature of this Conservation Area and have a detrimental impact on the privacy and amenity of neighbouring residents.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Roslyn Edwards

Address: 24B/7 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 1. I am objjecting under the Edinburgh Local Development Plan Policy 4-Impact on

Setting.

I consider the whole development to be an over development of the site. The Residential Priests' buliding is jammed up against the neighbouring wall which will result in considerable overshadowing of that property. The buildings could be resited so as not to have such a detrimental impact.

The building materials chosen are not in keeping with the essentially traditional Victorian architecture of the neighbourhood. The Priests' accommodation in particular is unsympathetic and overpowering in this Conservation Area.

2. I am objecting under Policy 5 Development Design- Amenity

The development will have a detrimental impact on the level of amenity of the area. The proposed developmentwhich is to be the Headquarters of the Christian Church in Scotland, will necessarily result in more noise, traffic and disturbance in this residential neighbourhood and will also adversely affect the privacy and outlook from the neighbouring homes.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house.

Case Officer: Robert McIntosh

Customer Details

Name: Mrs Rosalind Dunbar

Address: 15 Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the above Planning Application on the basis that:

- 1. It constitutes an overdevelopment of the site .
- 2. Design, the construction materials and finishes are inconsistent with development in the Conservation Area and are not in keeping with the original house on the site.
- 3. The proposed development will lead to significantly increased vehicular traffic in an area.
- 4. Within the grounds of the original house are some specimen trees. The published documents appear to underestimate the impact of the development on the canopy of at least one large chestnut tree in the neighbouring garden.
- 5. There is a concern that should planning be approved and if the house and site are then sold, it could be developed into a larger residential or commercial usage site.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Joseoh Malcolm

Address: 19/1 Ettrick Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The building is not in keeping with this residential area and it's use will impact on traffic

and car parking and will greatly increase noise levels.

This is a conservation area and as such any removal or damage to trees should be avoided.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mrs Anna Pearson-Annen

Address: 15 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object on 3 grounds:

- 1. Under the Edinburgh Local Development Plan policy 4 impact on setting, sections a, b, c and d.
- 2. Under the Edinburgh Local Development Plan policy 5 development design amenity.
- 3. Section 64 Act 1997 special protection to conservation area, in particular the suggested loss of a horse chestnut tree.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Philip Annen

Address: 15 Polwarth Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object on 3 grounds:

- 1. Under the Edinburgh Local Development Plan policy 4 impact on setting, sections a, b, c and d.
- 2. Under the Edinburgh Local Development Plan policy 5 development design amenity.
- 3. Section 64 Act 1997 special protection to conservation area, in particular the suggested loss of a horse chestnut tree.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Dr Mairi Stewart

Address: 17 Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the above plans as I feel that the proposed development is not in keeping with the neighbouring houses within this conservation area. The appearance of the area will be changed with this development. The majority of the buildings in this area are of sandstone construction which is not what is proposed in the entirety of this plan.

I also think that this proposed development will bring more traffic in to an already busy street for parking. With the tennis and bowling club across the road and extra parking at weekends for football matches at tynecastle the street is already busy.

I am also concerned with what will happen to the old house (the current Christian Community building) if these proposals are granted. This land will be sold off to finance the new build and this will undoubtedly lead to more overdevelopment of the site and impact on our conservation area.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Dr Mairianna Clyde

Address: Flat 3F1 69 Merchiston Crescent Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Planning Application 21/04838/AMC

Merchiston Community Council wishes to OBJECT to the application 21/04838/AMC on the following grounds.

1. Policy Des 1 Design Quality and Context

Whilst the proposed church building exemplifies innovation in the local context with its unusual curved and sweeping roof line, timber materials and sedum roof, which blends with the context of the wild, informal, free-form wooded garden of 21 Napier Road, it does not relate sensitively to the Victorian villas in the surrounding streetscape and will be highly visible from the street by the removal of a large 3-metre section of the 2.4 metre high boundary wall along Polwarth Terrace (see drawing 21-002 002 PL - Landscaping Plan). This wall is a historic feature of the area and part of its character. The proposed opening is to form the pedestrian access to the church. The curved route will be a generous sweeping path bordered by climbing shrubs up the incline to a wide flight of steps fronting the access to the church and building complex. This path will be an attractive approach for the worshippers but will come at the expense of the street and its character. It might be better to make the access a door in the wall, and to retain the wall without interruption, as preserving the historic character of the area and of 21 Napier Road. A door at this point would also play on the charming motif of the 'secret garden' revealed behind a door favoured by Victorian gardeners, and would enhance the church's privacy and security as well as the character of the area.

But as proposed, the wide gap in the high boundary wall in combination with the innovative church building, contravenes Policy Des 1 Design Quality and Context, by not drawing upon the positive character of the surrounding area. Rather, it eliminates it. It draws on the context of the informal garden, currently hidden behind the wall, and not the visible formality of the street.

2. Policy Des 4 Development Design - Impact on Setting

The church has been orientated E-W diagonally across the site so that the altar faces due east towards the rising sun in accordance with Christian belief, but this sets it at an uncomfortable and jarring angle to the linked offices-community hall-accommodation block which follows the orientation of the surrounding urban fabric and of the street. There is an interior courtyard linking the two buildings identified as FFL80.50 on the Landscaping Plan (Drg. 21-002 002 [PL]) - a potentially attractive feature, were it not for the massing and height of the accommodation/offices block which exceeds the height of the church and of the neighbouring dwelling at 19 Polwarth Terrace. It towers over the church making this a claustrophobic interior space without sufficient natural lighting or ventilation. The toilets are at this level and are entered off this courtyard and appear to be entirely without natural lighting or ventilation, meaning that they will require mechanical ventilation which could be disturbing to neighbours at 19 Polwarth Terrace at times when the church and community hall are in use. The office/community/accommodation block's footprint covers around 175 square metres (according to figures given on the Landscaping Plan -Drg. 21-002 002 [PL]) and entirely dominates the church, eliminating the possibility of the innovative church building design having an attractive and harmonious woodland setting. It imposes itself in a severe way on the interior courtyard which will be in shadow most of the day as a result.

The relation of the two buildings seems jarring and disproportionate. The proposed plans represent a moderate-sized block of three flats, plus offices and community hall covering a 175 square metre footprint, (on two levels = 350 square metres) with a linked smaller chapel in its garden.

3. (Policy Des 5 Development Design - Amenity).

The block is crammed into a corner of the site very close to neighbours at 19 Polwarth Terrace which suggests overdevelopment with impact on their amenity and thus potentially contravenes Policy Des 5 Development Design - Amenity.

The 50 square metre community hall opens out onto the rear garden with attractive double glass doors but again the proximity to the boundary of 19 Polwarth Terrace and its buildings could be a concern and potentially detract from neighbours' amenity if large numbers congregate there on a regular basis.

The design of the accommodation and offices block is poor. The façade facing on to the street pertains to be of a traditional character yet it affords little visual interest and its blandness renders it out of character with surrounding area. Neither does it complement the design of the church. There is a visual disjunction in the contrast of styles which does not lend balance or coherence to the overall development.

Mairianna Clyde (Dr.) Merchiston Community Council Planning Lead

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Dr Lucie Ashby

Address: 19 Napier Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:My primary concern relates to the aesthetics. I do not object to a church being built per se, however, this appears more like a residential accommodation block which is not in keeping with the surroundings. Some time ago there was a plan which appeared far more ecclesiastical than the current structure, and as such we did not object. The arboriculture and local flora and fauna reports appear to have given insufficient consideration to the size, scale and importance of this plot. Increased traffic is an additional concern. The road is already busy with tennis parking. Football (Tynecastle) parking already poses an issue to this ordinarily quiet residential street.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Mr Adrian Ashby

Address: 19 Napier road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The new proposed building(s) have a very unbecoming aesthetic and are, in my view,

far from inkeeping architectural and construction type of the area.

From the evidence presented previously and this application, the consideration of the micro ecology, arboriculture and local habitat have been rushed without sufficient adequate consideration, in favour of the desire to get the new structures approved and built.

The fenestration and street facing elevation is awkward at best and contrary to the neighbourhood 'theme and style'.

The size and scale of the new residential block is far beyond the needs defined during local discussions. The traffic impact and the new increased activity and the proposed access/egress have also fallen short of satisfactory for local children safety (in my view). The frequent use by football supporters who park on the surrounding streets will lead to a high risk of blind exits on Sundays. The area has many families and dog walkers and the new traffic modelling in real terms is insufficient.

The majestic trees of neighbouring properties would also be at risk from substructure excavations and foundation/groundworks.

This new location and scale of developments would change the area considerably and needs to be far more ecclesiastical and sympathic.

Whilst I don't object to the Christian Community wanting to evolve their place of worship and

dwelling, I would want more to be changed towards a lower key structure with definite intended uses. Currently location on the plot is satisfactory but alterations and ammendments would facilitate the over all acceptance of these new structures into the ethos and ambience of the existing neighbourhood.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Ms Louise Drummond

Address: 32a Palmerston place Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Over development of the site and concerns of future use of the site if sold.

Application Summary

Application Number: 21/04838/AMC

Address: 21 Napier Road Edinburgh EH10 5AZ

Proposal: Approval of matters Ref: 19/02753/PPP, new Chapel and Priest accommodation in the

grounds of the existing house. Case Officer: Robert McIntosh

Customer Details

Name: Ms Bridget Stevens

Address: Flat 1 10 Ettrick Road Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:(I am a member of Merchiston Community Council but am writing here in a personal capacity) to OBJECT to this application. The revised plans show the design of the proposed new block to be of poor quality, and completely out of keeping with the remainder of the houses in Napier Road - which are mainly unaltered and retain the integrity of their garden areas. The new block would dominate the site to an unacceptable degree. Its footprint is excessively large when compared to the church. Please REFUSE this application.

From: Robert McIntosh
To: Planning Support

Subject: FW: 21/04838/AMC 21 Napier Road Edinburgh EH10 5AZ

Date: 18 October 2021 09:46:58

Hi

Can this please be lodged as an objection to the above?

Kind Regards

Robert

From: Planning <planning@edinburgh.gov.uk>

Sent: 18 October 2021 09:34

To: Robert McIntosh <Robert.McIntosh@edinburgh.gov.uk> **Subject:** FW: 21/04838/AMC 21 Napier Road Edinburgh EH10 5AZ

From: F&B Cases Panel

Sent: 15 October 2021 21:01

To: Planning <<u>planning@edinburgh.gov.uk</u>>

Subject: 21/04838/AMC 21 Napier Road Edinburgh EH10 5AZ

The AHSS Forth & Borders Cases Panel objects to two elements of these proposals. 21 Napier Road is a large detached villa on a road of similar houses, set in large plots. In order to prevent the loss of character, even in a plot as large as number 21's, any infill development must be subservient in scale and preserve the existing mature trees to all sides, with a significant amount of open green space.

We therefore object to the following two elements of this proposal:

- 1: The planning permission in principle was awarded for a more modest proposals which represents the practical limit of what can be accommodated without detracting from the conservation area's character as described above. Any new proposals should respect this limit, and therefore these larger proposals should be reduced in size.
- 2: The houses and flats in this area, including later developments, are built in natural stone. The use of imitation stone here therefore will be incongruous and emphasise the building rather than help it to blend in. This should be natural stone to match neighbouring properties, or omitted.

Yours.

Dr Alastair Disley, Convenor on behalf of the Forth & Borders Cases Panel



From: Louise Drummond
Sent: 26 July 2022 20:00
To: Local Review Body
Subject: 21/04838/amc

Follow Up Flag: Follow up Flag Status: Flagged

I still have the same concerns that we're raised in my original submission

Kind regards

Louise Drummond

Sent from my iPhone

From: Rod Davidson

 Sent:
 26 July 2022 13:10

 To:
 Local Review Body

Subject: Planning application 21/04838/AMC

Attachments: Rod objection development at 21 Napier Road.docx

Follow Up Flag: Follow up Flag Status: Flagged

Please find attached my objections to the proposed development at 21 Napier Road Edinburgh, EH105AZ

The project has zero in common with the local area and will adversely affection aspects of the conservation area.

Kind regards

Rod Davidson

I am the homeowner at no.19 Polwarth Terrace and I wish to strongly object to the new proposals at 21 Napier Road for the following reasons:

- The height of the accommodation building at 10 metres tall is invasively high. Compared to proposal 2, the foundations are not being excavated into the natural slope of the site, so the impact is actually greater than this.
- A study showing the impact of over shadowing and light on our home is absent. Given the Ettrick Cottage is largely a one storey building the impact will be very significant.
- We already have planning permission for the conversion of our single storey garage to living accommodation with sky lights to the rear. This design will be significantly impacted with lose of light and privacy.
- One of our bedrooms adjacent to the proposed build is significantly lower in height than the proposed building. There is a canter levered window with a lovely aspect at present which will be literally blocked with a rendered wall only a few metres away. We had been considering making this a living space in the future.
- o The new design is 2.4 metres and 3.5 metres in some parts from the border for our property which I feel is too close given the volume of grounds available at 21 Napier Road.
- o The mass and volume of the building has substantially increased, and the residential building overwhelms the church.
- o The proposed materials are not congruous to the surrounding area. There materials proposed for the church and the accommodation don't great an ecclesiastical feel, are different and a contrast to the sandstone at Napier Road.

- The accommodation design looks like a 'youth hostel' in appearance and totally out of sync with the conservation area. It looks cheap.
- I have great concern for the conservation of the trees in the grounds but also have a personal concern for our mature horse chestnut tree on our land which is very close to the boundary wall.
- o The design shows facilities for a venue which is of concern. How many events will occur such as weddings etc and encroach on our privacy and peaceful environment?
- o The design seems to mirror that of a commercial enterprise. I know that The Christian Community have a worldwide congregation with overseas members residing on a temporary basis. There is only a marginal benefit to the local community.
- As this is the head office for Scotland and visitors will come from areas outside of Ediburgh, I am concerned about the level of traffic on Polwarth Street as this is already congested with the Tennis and Bowls club.

From: Rhian Davidson
Sent: 25 July 2022 18:07
To: Local Review Body

Subject: 21/04838/AMC The Review

Follow Up Flag: Follow up Flag Status: Flagged

Good afternoon

I am writing to you as I still have concerns on the application from The Christian Community above.

They remain as follows-

I wish to strongly object to the new proposals at 21 Napier Road for the future and welfare of this leafy residential neighbourhood_and because of the detrimental impact it has on our own property at 19 Polwarth Terrace

1. Section 64 (listed Buildings and Conservation Areas) (Scotland) Act 1997.

As this development is within a conservation area the Council has a statutory duty to give special protection to the trees and to ensure the development either protects or enhances the area.

As far as I am aware, there has not been a British standards Tree survey conducted and therefore there is a lack of properly informed analysis of the constraints of the site.

I also wish to bring attention to the Horse Chestnut tree at the border wall within the grounds at 19 Polwarth Terrace

The Christian Community have drawn our tree on their plans but have never requested our permission to survey this tree whilst we have had ownership of the house since January 2020 and therefore I am not sure how they can accurately represent the tree on the plans.

Please find attached our own independent British standards tree survey conducted on this tree dated 30th August 2021. As can be seen clearly to enable the build to proceed within the proximity to 19 Polwarth Terrace, the crown of the tree will need to be heavily cut back. This is not being shown on their drawings.

The report summary reports that the recommendations of our survey are such that the development CANNOT be achievable in arboriculture terms as <u>IT WILL RESULT IN THE LOSS</u> of a significant chestnut in our grounds. This will undoubtedly make the new building more visible in Polwarth Terrace.

2. Under the Edinburgh Local Development Plan Policy 4-Impact on Setting

'Planning permission would be granted if the development can demonstrate that it will have a positive impact on its surroundings including the character of the wider townscape and landscape'

I believe the design quality is poor with regards to both aesthetics and amenity.

Section a height and form

The proposed buildings are incongruous within this residential area. The accommodation and community centre block dwarf the church and the link between the two buildings lacks in harmony. The timber church is not in keeping with the surroundings. The façade of the accommodation building facing the onto the street is not attractive and does nothing to enhance the area. The window arrangement is unattractive.

o <u>Section b Scale and Proportions</u>

I strongly feel that this is Over Development of the site

I believe the site is not big enough to fit everything the Christian community are seeking without adversely affecting residential amenity. I am looking for a reduction to the footprint of the building away from protected trees. The mass and volume of the building has substantially increased, and the residential building overwhelms the church.

o <u>Section c Position of buildings and other features on the site</u>

The proposed buildings are very close to the boundary wall of 19 Polwarth Terrace. The Exterior steps are only 2045mm from the boundary at 19 Polwarth Terrace and 3500 mm for the building. The proposed site is too close to our boundary wall and the exterior steps quite frankly will be very ugly to look onto from our living area.

o Section d Materials and detailing

This is of timber construction with rendered walls (except for sandstone to the front wall). This design is more suitable for a suburban new development but not within his period Victorian residential area. The proposed materials are not congruous to the surrounding area. The materials proposed for the church and the accommodation don't great an ecclesiastical feel, are different and a contrast to the sandstone at Napier Road

3. The proposed property will be the Christian Community head office for Scotland

Currently the Christian Community conduct their weekly services and events privately within the residential house of 21 Napier Road.

This new build provides significant opportunity for enhancement of their services and events which will inevitably increase footfall, traffic and noise and affect the amenity of the neighbouring properties. This could encroach on our privacy and peace. I am concerned about the level of traffic on Polwarth terrace as this is already congested with the Tennis and Bowls club.

4. <u>I also have concerns about any future use of this building</u> should the Christian Community decide to move on to another location and could become any one of a number of commercial enterprises.

a 'Church' falls under Class 10. Non-residential institutions. At any point in the future the Church once built and if sold, could change to any of the following commercial uses-

as a creche, day nursery or day centre

for the provision of education

for the display of works of art (otherwise than for sale or hire)

as a museum

as a public library or public reading room

as a public hall or exhibition hall

for or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body

- 5. On a more personal level, My mother of 84 lives with us adjacent to the garage in single storey accommodation. This is very close to the border and away from her living space with velux windows to her living area. Again, invading her privacy and peace.
- 6. We already have planning permission for the conversion of our single storey garage to living accommodation with sky lights to the rear. This design will be significantly impacted with lose of light and privacy.
- 7. One of our bedrooms adjacent to the proposed build is significantly lower in height than the proposed building. There is a canter levered window with a lovely aspect at present which would be literally blocked with a rendered wall only a few metres away.

Best regards

Rhian

Rhian Davidson Mob:

19 Polwarth Terrace Edinburgh EH11 1NQ



From: Bridget Stevens
Sent: 26 July 2022 17:38
To: Local Review Body

Subject: Planning Application: 21/04838/AMC 21 Napier Road, Edinburgh

I wish the objection I made to this planning application in October 2021 to remain in place. It is as follows:

Comments: (I am a member of Merchiston Community Council but am

writing here in a personal capacity) to OBJECT to this application. The revised plans show the design of the proposed new block to be of poor quality, and completely out of keeping with the remainder of the houses in Napier Road - which are mainly unaltered and retain the integrity of their garden areas. The new block would dominate the site to an unacceptable degree. Its footprint is excessively large when compared to the church. Please REFUSE this

application.

I hope very much that the fact that there is so much local opposition to the proposals will mean that the application will be REFUSED.

Bridget Stevens

10/1 Ettrick Road

Edinburgh REH10 5BJ

From: Elspeth Fairgrieve
Sent: 27 July 2022 14:15
To: Local Review Body

Subject: 21 Napier Road, Edinburgh

Dear Sir/Madam

I previously objected to this planning application. My position has not changed. My reasons are:

The proposed buildings are still not in keeping with the rest of the area. They are too big and too close to neighbouring properties. The design will look out of place in such a beautiful area. The road is not designed to have any more parking than there already is. Polwarth Terrace is now a busy street with parking on both sides. As a member of the tennis club, there are many young children in the area and with so many parked cars and the reality there will be more, this is dangerous and not in keeping with a suburban area. The current building at 21 Napier Road is more than big enough to accommodate the church services that are needed. Anything else is simply becoming a commercial opportunity.

Thank you Elspeth Fairgrieve 9B Napier Road