

Sorrell Associates.  
FAO: Jim Sorrell  
The Green House  
41 St Bernard's Crescent  
Edinburgh  
Scotland  
EH4 1NR

Mr Iain Gilchrist.  
24 Priestfield Avenue  
Edinburgh  
Scotland  
EH16 5JL

**Decision date: 22 November  
2019**

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

Construction of a building to replace previous in-situ structures and for its use for Class 11 (leisure) purposes.  
At 25 Peffer Bank Edinburgh EH16 4AW

**Application No:** 19/04874/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 11 October 2019, 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 and Enforced** 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:-**

1. The proposal is contrary to Policy Ret 8 (Entertainment and Leisure Developments - Other Locations).
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context.

3. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposed two-storey building and change of use to class 11 assembly and leisure is contrary to the Edinburgh Local Development Plan in terms of use, design and amenity. 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 Lynne McMenemy directly on 0131 529 2485.

*D R Leech*

**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

## NOTES

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](http://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](mailto: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 Planning Permission 19/04874/FUL  
At 25 Peffer Bank, Edinburgh, EH16 4AW  
Construction of a building to replace previous in-situ  
structures and for its use for Class 11 (leisure) purposes.**

|                           |                              |
|---------------------------|------------------------------|
| <b>Item</b>               | Local Delegated Decision     |
| <b>Application number</b> | 19/04874/FUL                 |
| <b>Wards</b>              | B17 - Portobello/Craigmillar |

## Summary

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The proposed two-storey building and change of use to class 11 assembly and leisure is contrary to the Edinburgh Local Development Plan in terms of use, design and amenity. There are no material considerations which outweigh this conclusion.

## Links

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|   |  |
|---|--|
| <a href="#"><u>Policies and guidance for this application</u></a> | LDPP, LRET07, LRET08, LEMP09, LDES01, LDES05, LHOU07, LTRA02, LTRA03, NSG, NSGD02, |
|---|--|

# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The application site is a two storey building within the yard of an established glazing business occupying a site between a four-storey tenemental building and modern flatted residential development on Peffer Bank. The category B listed Craigmillar Brewery building adjoins the yard to the north.

The yard contains a metal framed building housing the main glazing business at equivalent to three storeys in height, a single storey building with a corrugated roof, a small storage and loading area and the two-storey building which is subject to the application. The site is fronted by a combination of brick wall and high steel roller shutters.

The site is within the urban area defined in the Local Development Plan.

### 2.2 Site History

There is no relevant planning history for this site.

## Main report

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### 3.1 Description Of The Proposal

The application seeks retrospective planning permission for the two-storey structure within the yard of a glazing business and change of use from class 4 business to class 11 assembly and leisure.

The two-storey building is rectangular in shape with a flat roof and is a timber framed construction with steel cladding. The ground floor comprises 33 square metres of studio space with 43 square metres of studio space to the upper floor.

The building adjoins the boundary wall of the tenements and is accessed directly from the street. A window to the upper level overlooks the street with remaining windows and a secondary access on the perimeter with the glazing yard.

The building is currently used by a martial arts instructor on weekdays, evenings and at weekends.

## 3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

## 3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) The principle of development is acceptable;
- b) The design, scale and appearance are acceptable;
- c) The proposal would impact on neighbouring amenity;
- d) The proposal raises issues for parking and road safety; and
- e) Matters raised in representations are addressed

### a) Principle

Policy Ret 7 sets out that the preferred location for entertainment and leisure developments is within the city centre, Leith and Granton waterfronts and in town centres.

Policy Ret 8 sets out that permission will be granted for entertainment and leisure developments in other locations provided that all other city and town centre sites have been assessed and discounted; the site is easily accessible by a choice of means of transport; the proposal can be integrated satisfactorily into its surroundings with attractive frontages and high quality design that safeguards existing character; the proposal is compatible with surrounding uses; and will not lead to a significant increase in noise, disturbance and on street activity at unsocial hours to detriment of nearby residents.

The site is within the urban area around 300 metres from Craigmillar Local Centre and does not fall within any of the preferred locations for its use set by policy Ret 7. The applicant has submitted a planning statement stating that there is a lack of accommodation for small scale leisure businesses, with restrictions to retail use in city and town centre locations along with high rents and rates.

The site was formerly part of the gazing business and in class 4 business use and was rented out for class 11 use when it became surplus to requirements. It is unclear therefore whether the current occupier has sought other premises in the preferred locations.

The site has medium public transport access and is served by one bus route running every 30 minutes with additional more frequent service accessible from Craigmillar Mains Road. The site provides no cycle parking.

The two-storey building is industrial in character with a single door access directly from the street and a small window to the upper floor. The majority of the ground frontage is directly behind a high brick wall. When not in use the doorway is covered by high metal roller shutters. The design, though in keeping with the existing main industrial style structure for the glazing business, does not provide an attractive frontage of a high quality design.

The proposal is therefore contrary to policies Ret 07 and Ret 08.

Policy Emp 9 sets out criteria for redevelopment of employment sites or premises in the urban area for uses other than business, industry or storage.

The change of use of part of the glazing yard is not considered to introduce a use which would inhibit the continued operation of the wider site for business use and complies with criteria a) of the policy. However, criteria b) requires the proposal to contribute to regeneration and improvement of the wider area. Whilst the site is small in scale it would fail to bring improvement to the wider area in terms of design.

#### b) Design

Policy Des 1 sets general criteria for assessing design quality and applies to all developments.

As indicated in a) above the proposal does not provide an attractive frontage to Peffer Bank and nor is the building of a high quality design. Its position behind the grey painted brick wall with little street level presence, fails to add activity or improve the quality of the street. The building's steel cladding and roof give the appearance of a temporary industrial structure and fails to draw upon positive characteristics of the surrounding area or contribute to a sense of place.

The proposal is considered contrary to policy Des 1.

#### c) Amenity

Policy Des 5 sets criteria for assessing amenity and policy Hou 7 seeks to protect residential areas from inappropriate uses.

The existing class 4 use is defined as being a use which can be carried on in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The application site currently adjoins the wall of the residential tenement building on Peffer Bank and introduces a leisure use which would operate outside of the normal business hours associated with the existing class 4 business use. In addition, access to the development is directly from the street. Whilst the scale of the use is small, the developments location and operation mean that the proposal will have a detrimental impact on living conditions of the neighbouring property. A noise impact assessment

has not been requested a class 11 use is generally not a compatible use in residential areas.

The proposal is contrary to Hou 7.

#### d) Parking and road safety

Policy Tra 2 requires parking provision to comply with levels in guidance and sets criteria for assessing lower provision. The Edinburgh Design Guidance provides a levels of parking relating to different use classes. For Class 11 it lists a number of larger scale developments but gives no levels for small scale development as proposed.

The proposal does not include any dedicated cycle or vehicle parking. The site is in an area of medium public transport access and within 5 minutes walk of a number of bus routes on Niddrie Mains Road. No information has been given as to how customers are expected to travel to the premises or likely numbers, however the size of the premises mean that the development is unlikely to generate a significant amount of additional vehicular traffic.

#### e) Representations

Five letters have been submitted in support of the application raising the following non-material issues:

- No noise has been evident from the current use as a martial arts studio
- Users arrive by bike or public transport
- Use of the open space opposite the site generates more disruption
- Lack of affordable units to operate premises from in east Edinburgh
- Martial arts business offers services to the community
- Existing glazing business is supported and operated without disturbance

#### **Conclusion**

The proposed two-storey building and change of use to class 11 assembly and leisure is contrary to the Edinburgh Local Development Plan in terms of use, design and amenity. There are no material considerations which outweigh this conclusion.

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

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

#### **Reasons:-**

1. The proposal is contrary to Policy Ret 8 (Entertainment and Leisure Developments - Other Locations).
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context.

3. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas.

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

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

## **Equalities impact**

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

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

## **Consultation and engagement**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

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

Five letters have been submitted in support of the application.

## **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development  
Plan Provision**

**Date registered** 11 October 2019

**Drawing  
numbers/Scheme** 01-03,

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer  
E-mail:lynne.mcmenemy@edinburgh.gov.uk Tel:0131 529 2485

## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

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

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

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

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

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

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

# Appendix 1

## Consultations

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No Consultations received.

END

## Memorandum

**To** Head of Planning  
City of Edinburgh Council  
Planning and Transport  
Place  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

F.A.O. Lynne McMenemy

**From** John A Lawson  
Archaeology Officer

**Your ref** 19/04874/FUL

**Date** 5<sup>th</sup> November 2019

**Our ref** 19/04874/FUL

Dear Lynne,

### 25 Peffer Bank

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of a building to replace previous in situ structures and for its use for class 11 (leisure) purposes.

The site occupies the SW corner of the former Drybrough Brewery constructed on the site at the end of the 19<sup>th</sup> century and as such it occurs within an area of 'industrial' archaeological interest. Historic maps however do not show any original buildings in this area. Therefore, given this and the likely significant scale of modern disturbance caused by 20<sup>th</sup> century buildings on the site, it has been concluded that it is unlikely that this development will have an archaeological impact.

Please contact me if you require any further information.

Yours faithfully

  
**John A Lawson**

**Lynne Halfpenny, Director of Culture, Cultural Services, Place**  
City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD  
Tel 0131 558 1040  
john.lawson@edinburgh.gov.uk



INVESTORS  
IN PEOPLE | Gold

Planning department  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

Ref: IG-1111/19

Date: 11<sup>th</sup> November 2019

To whom it may concern,

**Re: 19/04874/FUL 25 PefferBank Edinburgh Mr. Gilchrist**

It has come to our noticed (local community) that the workshop at 25 Pefferbank may have to be closed, this has surprised us all, as it is used by many local people for fitness, martial arts and self-defence classes.

It caters for teenagers, woman and adults, sometimes these people come along to gain self-confidence/self-esteem in an crime fuelled area, or just want to keep fit and loose a few pounds, even at my age I love the self-confidence the martial arts give me. My wife after a recent heart-attack uses this facility for keep fit, we have met some nice people mostly from the Niddrie, Peffermill, prestonfield and Duddingston area.

We do believe that closing this community facility down would be yet another blow to the area, I know we would miss it greatly and without travelling miles there is nothing similar around here.

The unit is safe well maintained clean and tidy, it has strict opening & closing time and we are always thoughtful and considerate when arriving or leaving the premises, as it's only a small number of people we normally car share, for the ones who aren't close enough to walk there to keep noise and pollution down to a minimum.

I hope you can reconsider keeping this community unit open as it benefits the area in so many positive ways.

Regards

  
Kenneth Ross Mistr

8 Kings Meadow  
EH165JW

Building Standards  
11 NOV 2019  
Planning &

19/04874/FUL 3

Priestfield Gardens  
Edinburgh

EH 16 5 JN.

Planning  
11 NOV 2019  
Building Standards

Planning Section  
City of Edinburgh Council  
Waverley Court  
4 East Market Street  
Edinburgh

25 Pepper Bank Edinburgh - online ref 100085783-001

Dear Sir/Madam

I am writing in support of the application, in retrospect, for the construction of a building replacing the previous in-situ structures and its use for class II (leisure) purposes.

I have known Mr Gilchrist on a professional and personal basis for over twenty five years. He, through his business, has installed new double glazing in three properties I have owned. This work has been done on a very satisfactory manner.

Mr Gilchrist has run his business for over twenty five years at Pepper Bank retaining employment and investment in the area. I am not aware of any nuisance caused to neighbours by his operation, and I firmly believe he displays the traits of being both a good employer and neighbour.

This application if consent is given, will return a well-run and maintained property in the area. Due to his main operation being subject to intense competition he no longer requires all the space and, in this respect, it helps to continue the viability of the site as a commercial

Application of making the proposed changes on the site.  
I do hope the Council will be able to  
accede to this application and grant  
consent.

Yours faithfully

A solid black rectangular box redacting the signature of the sender.A horizontal line with a slight curve, redacting the name of the sender.

19/01874/FUL

LMc

Carla Deponio  
3 (3F2) Peffer  
Place  
EDINBURGH  
EH16 4BB

Head of Planning  
The City of Edinburgh Council  
Council HQ  
Waverley Court  
4 East Market Street  
EDINBURGH

3 November 2019

Building Standards  
11 NOV 2019  
Planning &

Dear Sir

**EBS Glass- 25 Peffer Bank Edinburgh EH16 4AW**

As a near neighbour of these premises, I have been informed that due to an oversight the proprietors did not make a planning application for improvements they carried out within the building for the required consent and are now in the process of making a retrospective application.

I am writing to request that the Council are sympathetic to the error and I am writing to confirm:-

EBS Glass is long established local firm

It is an employer which provides income to the local economy

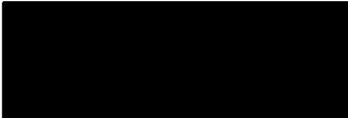
The firm is environmentally aware and clears up business waste appropriately and has also uplifted and disposed of rubbish casually dumped in Peffer Bank.

I am not aware of any nuisance caused by this company to local residents.

This might not be relevant but when I moved into my flat one of my window handles was broken and Ian (I don't know his surname) came along to my flat and supplied and fitted a new handle without charge saying he was being neighbourly.

I support this business and hope it continues to prosper.

Yours faithfully

A solid black rectangular box used to redact the signature of the sender.

**C L Deponio**

19/04874/FUL .

Ben Fletcher  
35/20 Pefferbank  
Edinburgh  
EH16 4FE  
07908482165  
fletcher\_ben@outlook.com

Planning &  
11 NOV 2019  
Building Standards

To whom it may concern,

My name is Ben Fletcher, and I am the owner of CVA Jiu-Jitsu, which currently operates out of the unit at 25 Pefferbank, Edinburgh. We offer martial arts and wellness classes, such as Brazilian Jiu-Jitsu and Yoga, for kids and adults.

We are proud to bring people from all over the city together (as well as visitors from all over the world), to encourage them to make positive changes in their lifestyles with regards to physical and mental health. Due to this, we hope that we are considered an asset to the city.

Long term, we hope to be able to offer these services (and more) in a larger facility, where we can service a broader cross-section of the city, as well as becoming a job creating enterprise.

In order for this to happen, access to a unit like the one we currently operate in, is imperative. As a business, we have encountered difficulty securing units in the East Edinburgh area which are affordable at our current size. Our current unit offers an affordable option which will allow us to expand over the coming months/year, giving us a great opportunity to grow, and begin to achieve the goals we have set.

If there are any further questions regarding what we do, or the importance of the unit to us, please contact me at [fletcher\\_ben@outlook.com](mailto:fletcher_ben@outlook.com).

Kind regards,

Ben Fletcher.

H.A. WEST  
MEDICAL Ltd

H. A. West Medical Ltd  
25 Peffer Bank  
Edinburgh  
EH16 4AW

Pn. 0131 656 9424  
Fx. 0131 656 9485

06-11-2019

To Whom it may Concern.

Ref: 19/04874/Ful. 25 Peffer Bank. Mr. I Gilchrist.

LMLM/  
Locals 2

To Whom it may Concern.

At H A West Medical, we have to provide a 24/7 call out service to hospitals and care homes. As a result of this I am quite often on site at Peffer Bank out with normal office hours. These hours can coincide with those of the Marshall arts and karate clubs. In the years that we have had premises on site At no time can I ever remember being made aware of their presence by noise either verbal or music, while on site or arriving or leaving afterwards. Most attendees that I have talked to have arrived by bicycle or bus, and on occasions I have allowed them access to store their bicycles in the dry in our workshop.

Where I have been inconvenienced and annoyed is when the footballers are in the park opposite, the kids are fine, but the street is jammed by inconsiderate parking on all sides. I have had to ask that the children do not use the roller shutter doors as goals, but as of yet have not managed to curb the disgusting habit of throwing their partially eaten food and drinks out of their parents car windows prior to leaving.

It is ourselves and other work colleagues that are left to sweep the street the next morning in an effort to prevent foot fall on our office and workshop flooring.

We like many businesses are struggling to keep our heads above water, were it not for the likes of Mr. Gilchrist Offering affordable premises to small businesses we would certainly have had to close by now.

If I had ever heard any noise or commotion I would be the first to complain, but I simply have not.

Yours Sincerely

Andrew Thomson

Andrew Thomson.

Director H.A. Medical Ltd.

Planning &  
12 NOV 2019  
Building Standards

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100235747-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

|                       |                    |  |                       |
|-----------------------|--------------------|--|-----------------------|
| Company/Organisation: | Sorrell Associates |  |                       |
| Ref. Number:          |                    | You must enter a Building Name or Number, or both: * |                       |
| First Name: *         | Jim                | Building Name:                                       | The Green House       |
| Last Name: *          | Sorrell            | Building Number:                                     | 41                    |
| Telephone Number: *   |                    | Address 1 (Street): *                                | St Bernard's Crescent |
| Extension Number:     |                    | Address 2:   |                       |
| Mobile Number:        |                    | Town/City: *   | Edinburgh             |
| Fax Number:           |                    | Country: *   | Scotland              |
|                       |                    | Postcode: *  | EH4 1NR               |
| Email Address: *      |                    |  |                       |

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

|                      |  |  |   |
|----------------------|--|--|---|
| Title:               | <input type="text" value="Mr"/>        | You must enter a Building Name or Number, or both: * |   |
| Other Title:         | <input type="text"/>                   | Building Name:                                       | <input type="text"/>                            |
| First Name: *        | <input type="text" value="Iain"/>      | Building Number:                                     | <input type="text" value="24"/>                 |
| Last Name: *         | <input type="text" value="Gilchrist"/> | Address 1 (Street): *                                | <input type="text" value="Priestfield Avenue"/> |
| Company/Organisation | <input type="text"/>                   | Address 2:   | <input type="text"/>                            |
| Telephone Number: *  | <input type="text"/>                   | Town/City: *   | <input type="text" value="Edinburgh"/>          |
| Extension Number:    | <input type="text"/>                   | Country: *   | <input type="text" value="Scotland"/>           |
| Mobile Number:       | <input type="text"/>                   | Postcode: *  | <input type="text" value="EH16 5JL"/>           |
| Fax Number:          | <input type="text"/>                   |  |   |
| Email Address: *     | <input type="text" value="REDACTED"/>  |  |   |

## Site Address Details

|   |  |
|---|--|
| Planning Authority:   | <input type="text" value="City of Edinburgh Council"/> |
| Full postal address of the site (including postcode where available): |  |
| Address 1:  | <input type="text" value="25 PEFFER BANK"/>            |
| Address 2:  | <input type="text"/>                                   |
| Address 3:  | <input type="text"/>                                   |
| Address 4:  | <input type="text"/>                                   |
| Address 5:  | <input type="text"/>                                   |
| Town/City/Settlement:   | <input type="text" value="EDINBURGH"/>                 |
| Post Code:  | <input type="text" value="EH16 4AW"/>                  |

Please identify/describe the location of the site or sites

|          |                                     |         |                                     |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="671781"/> | Easting | <input type="text" value="328714"/> |
|----------|-------------------------------------|---------|-------------------------------------|

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Construction of a building to replace previous in-situ structures and for its use for Class 11 (leisure) purposes

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Planning Appeal Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Location Plan; Site Plan & Elevation Drawing; Floor Plans & Elevations Drawing; Photo of previous buildings; Planning Application Statement; Report of Handling; Decision Notice; Planning Appeal Statement; Letter from Building Occupier; Relevant Planning Policies

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

19/04874/FUL

What date was the application submitted to the planning authority? \*

10/10/2019

What date was the decision issued by the planning authority? \*

22/11/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

As this is a retrospective application a site inspection will enable LRB panel members to see the building first hand. This will enable them to appreciate the setting of the building within an industrial site, its small scale relative to the principal industrial building on site and the adjacent tenement; its complementary design relative to the principal industrial building; its relative seclusion behind the boundary wall; and the low key nature of the leisure use being carried on.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Jim Sorrell

Declaration Date: 21/02/2020

## Proposal Details

|                              |  |
|------------------------------|--|
| Proposal Name                | 100235747  |
| Proposal Description         | Construction of a building and its use for Class 11 leisure purposes |
| Address                      | 25 PEFFER BANK, EDINBURGH, EH16 4AW                                  |
| Local Authority              | City of Edinburgh Council  |
| Application Online Reference | 100235747-001  |

## Application Status

|                          |          |
|--------------------------|----------|
| Form                     | complete |
| Main Details             | complete |
| Checklist                | complete |
| Declaration              | complete |
| Supporting Documentation | complete |
| Email Notification       | complete |

## Attachment Details

|  |          |                |
|--|----------|----------------|
| Notice of Review                         | System   | A4             |
| Drawing 1 Site Plan and Street Elevation | Attached | A3             |
| Drawing 2 Floor Plans and Elevations     | Attached | A3             |
| Planning Application Statement           | Attached | Not Applicable |
| Council Officers Report of Handling      | Attached | Not Applicable |
| Decision Notice 22 November 2019         | Attached | Not Applicable |
| Planning Appeal Statement                | Posted   | Not Applicable |
| Relevant Development Plan Policy         | Attached | Not Applicable |
| Statement by occupier of the building    | Attached | Not Applicable |
| Screenshot of previous building on site  | Attached | Not Applicable |
| Site Plan                                | Attached | A4             |
| Notice_of_Review-2.pdf                   | Attached | A0             |
| Application_Summary.pdf                  | Attached | A0             |
| Notice of Review-001.xml                 | Attached | A0             |

Ben Fletcher  
35/20 Pefferbank  
Edinburgh  
EH16 4FE  
fletcher\_ben@outlook.com

To whom it may concern,

My name is Ben Fletcher, and I am the owner of CVA Jiu-Jitsu, which currently operates out of the unit at 25 Pefferbank, Edinburgh. We offer martial arts and wellness classes, such as Brazilian Jiu-Jitsu and Yoga, for kids and adults.

We are proud to bring people from all over the city together (as well as visitors from all over the world), to encourage them to make positive changes in their lifestyles with regards to physical and mental health. Due to this, we hope that we are considered an asset to the city.

Long term, we hope to be able to offer these services (and more) to a broader cross-section of the city, as well as becoming a job creating enterprise.

In order for this to happen, access to a unit like the one we currently operate in, is imperative. As a business, we have encountered difficulty securing units in the East Edinburgh area which are affordable at our current size. Our current unit offers an affordable option which will allow us to expand over the coming months/year, giving us a great opportunity to grow, and begin to achieve the goals we have set.

Our classes do not involve loud music, or use heavy equipment, and due to the limited space, efforts are always made to keep class numbers relatively small. Therefore, we do not feel as though we cause much of (if any) a disturbance to neighbouring residencies.

If there are any further questions regarding what we do, or the importance of the unit to us, please contact me at [REDACTED]

Kind regards,

Ben Fletcher.

**25 PEFFER BANK  
EDINBURGH EH16 4AW**

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**Statement in Support of a Planning  
Application, in retrospect**

**Construction of a building replacing  
previous in-situ structures and its  
use for Class 11 (leisure) purposes**

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On behalf of:

**Mr Iain Gilchrist**

10<sup>th</sup> October 2019

**Sorrell Associates**  
planning | development | consultancy

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41 St Bernard's Crescent  
Edinburgh EH4 1NR  
Tel: 0131 343 3643  
[www.sorrellassociates.co.uk](http://www.sorrellassociates.co.uk)

## INTRODUCTION

1. This Statement is in support of a planning application by Mr Iain Gilchrist seeking planning permission in retrospect for the construction of an existing building at 25 Peffer Bank, Craigmillar and for its use for leisure purposes (Class 11).
2. The building is located within the yard space associated with the adjacent large industrial premises at 27 Peffer Bank from which Mr Gilchrist has operated a longstanding and successful glazing business, trading as EBS Glass & Glazing, since he acquired the holding in 1991. The extent of ownership is shown by the red and blue lines on the submitted location plan and site plan.
3. The building subject of this application is of two storey timber-framed construction whose walls and roof are clad with profiled steel sheeting. It is coloured black with white window frames and the cladding has a corrugated appearance similar to that of the larger building at no27.
4. It is positioned on the east side of the yard adjacent to the gable-end wall of the adjacent four-storey tenement block and it extends to the same depth. The building is structurally separate and freestanding from the gable with the exception of the cladding which touches the tenement wall.
5. The building was constructed in June 2015 and replaced a double-height portacabin that had been positioned in the same part of the yard since 1994.
6. It stands on the same brick base which was constructed for the portacabins to achieve a level foundation across the sloping yard. It also has the same water and drainage connections to the public supply previously established for the portacabin.



**Fig 1 - View from the street. The top of the building is visible above the wall**

7. Mr Gilchrist had presumed that as the new building was of similar footprint, scale and massing as the portacabins that it would not need planning permission.
8. The building is set behind a high brick wall along part of the street frontage and boundary security has been enhanced by installing steel roller shutters of similar height to the wall across the remaining frontage to ensure security to the building's entry door and to the yard (see Fig 1).
9. The portacabins had been used for office and storage space associated with the adjacent industrial business and this was the initial purpose of the current building. However it became surplus to the requirements of the business and, in order to achieve a continuing useful purpose for the building, it was made available for alternative use with scope for two separate occupiers on ground and first floor studios.
10. Under this arrangement the building now operates independently from the adjacent industrial business. Entry to the building is by a doorway direct from the street and its occupants have no use or access to the yard. This is reflected by the red-line application boundary comprising only the building footprint. The only continuing relationship is a waste management arrangement shared with the glazing business.
11. In June 2019 occupation of the two units was commenced by a martial arts instructor and a dance tutor. These are sole practitioners who run classes for small numbers of clients and who have a particular requirement for small premises such as at Peffer Bank.
12. In August 2019 the Council's planning enforcement team issued correspondence declaring that unauthorised development had taken place and required resolution.
13. Mr Gilchrist had not previously appreciated the situation regarding unauthorised development and he wishes to regularise the situation with the Council. In that regard he appointed Sorrell Associates to represent him.
14. Correspondence has been exchanged with Mr Peter Martin of the Council enforcement team by which it was agreed that a retrospective planning application would be submitted and with any enforcement action held in abeyance in the meantime.
15. The current planning application therefore seeks approval for:
  - Construction of the building, and
  - Use for Class 11 leisure purposes
16. The proposed building is as described above and illustrated on the following drawings submitted with the application, prepared by REM Associates:
  - Location Plan
  - Site Plan / Street Elevation (ref 90.01)
  - Plans / Sections / Elevations (ref 100.01)

17. Regarding the proposed Class 11 use, the dance tutor has now ceased occupation of the premises and it is proposed that the martial arts instructor will take occupation of the whole building should planning permission be granted. This is explained further below at paras 51-52.
18. Despite development having taken place without prior approval, we consider that planning permission is merited in retrospect in the context of Council planning policy and guidance as detailed below.

### **COMPLIANCE WITH LOCAL DEVELOPMENT PLAN AND COUNCIL GUIDANCE**

19. Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended 2006, requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise.
20. The development plan consists of the Edinburgh Local Development Plan (LDP), which was adopted in November 2016 and relevant guidance is provided in the Council's Design Guidance (Oct 2017).
21. We consider that planning permission is justified by consideration of four principle matters addressed by planning policy, as follows.

#### **1. Compatibility with Industrial Businesses**

22. ***Policy Emp9 'Employment Sites and Premises'*** states that a proposal to redevelop existing employment sites or premises for uses other than business, industry or storage will be permitted provided it will not prejudice or inhibit the activities of any nearby employment use.
23. In this case the building is located within the yard which is used by EBS Glass in the adjacent premises at no27 Peffer Bank and the associated storage / garage premises at the rear of the yard. Before the building was constructed in 2015 there had been a double-level portacabin in the same part of the yard since 1994. A photo of the portacabin, downloaded from Google Street View, is submitted with the application to illustrate its appearance (see submitted photo).
24. The portacabin was of similar footprint, height, scale and massing as the current building which is of similar appearance, if slightly larger. The existence of the portacabin since 1994 means there has been a longstanding presence of a building in this part of the yard which became an established part of the site's character and relationship with surrounding buildings. These aspects are now continued with the current building.
25. The building and the portacabins were previously used for storage and office space in association with EBS Glass. However the building became surplus to the requirements of the business and the introduction of the alternative leisure uses was therefore a direct

consequence of changes in the operational requirements of the glazing business. , which is directly managed by the applicant.

26. Regarding the yard space required by the glazing business, the presence of a building here has been established for 25 years during which time the available space in the yard has proved ample for its continuing efficient operation. Now the building is in separate occupation, its occupants do not use the yard for access or servicing which ensures there is no conflict between the respective businesses.



*Fig 2 - View of building from rear of yard*

27. The applicant's principle interest in the site has been as owner and manager of EBS Glass and the building subject of this application is wholly ancillary to the glazing business. It was his decision that the building was no longer required for the glazing business and to release it for alternative use.
28. Accordingly there can be no question that its use for class 11 purposes in any way inhibits or causes prejudice to the successful continuation of the adjacent glazing business. This position is ensured as he retains ownership of the building and controls its use and occupation as landlord. Policy Emp9 is therefore satisfied.

## **2. Appropriate Location for Class 11 Leisure Use - Sequential Test**

29. ***Policies Ret7 and Ret8 'Entertainment and Leisure Developments'*** confirm that the Council's preferred location for leisure uses is either within the city centre or at the various town centres across the city. Policy also requires that a 'sequential test' should be carried out to demonstrate there are no suitable and available premises within the identified centres before an out-of-centre location is considered.
30. However this requirement is qualified at para 253 of the LDP which states that the sequential approach should apply to '*leisure uses such as cinemas, theatres, restaurants, night clubs, ten pin bowling, bingo halls and soft play centres*'. In our view it is notable that all these types of leisure uses are of significant commercial scale requiring buildings

offering a large amount of floorspace and with facilities to accommodate the generation of high customer flows with associated traffic, parking, etc.

31. By contrast, the size of the building and the scale of leisure operator at Peffer Bank is much smaller than those addressed by policies Ret7 and Ret8. The submitted drawings show that the building provides two small studios of 33sqm and 43sqm which would only be appropriate for individual instructors or tutors with a small number of clients.
32. This is borne out by the occupiers who took residence in June 2019 which were a martial arts instructor and a dance tutor. Both were sole practitioner businesses who run small classes although the dance tutor is no longer present and the sole occupant will now be the martial arts instructor (see paras 51-52).
33. We understand there is a significant under-supply of premises in Edinburgh suitable for small scale leisure businesses of this nature, particularly for start-up businesses. Units in town centres are generally targeted at retail shops and often have planning restrictions on their use. Rents and rates are also too high for individual or small-scale sports and leisure instructors. Such practitioners therefore often need to search out vacant office, business or industrial premises.
34. We consider that the sequential test and town-centre-first approach is not always compatible with small leisure operators of this nature and that encouragement should instead be given to provide buildings in alternative locations which can offer a smaller scale of accommodation required with affordable rents. The building at Peffer Bank is ideal in this regard.

### **3. Transport and Amenity Considerations**

35. Policy Ret8 sets three further criteria for leisure uses to be considered acceptable in out-of-centre locations.

***Ret8 b) - 'the site is easily accessible by a choice of means of transport and will not lead to an unacceptable increase in traffic locally'***

36. Bus routes - The premises at 25 Peffer Bank is accessible by a number of bus routes. The nearest bus stop is on Duddingston Road West within 100m of the site with further stops on Peffermill Road less than 200m away. These are served by nos 2, 14, 30, 42 and N30 bus routes.
37. Parking - The site is located within the urban area and is easily accessible by car. There is no off-site parking provided at the site but on-street parking on Peffer Bank is unrestricted and freely available.
38. Given the small scale of the building it is anticipated that the leisure occupiers will have relatively few clients in any tuition session such that traffic and parking will only increase

marginally. This is borne-out by the experience from the initial occupiers since June 2019.

39. The martial arts instructor advertises classes during afternoons (including weekends) and midweek evenings. Availability of on-street parking may vary according to time of day as the street has a mix of residential properties and industrial / business premises. For instance during the working day when the glazing factory is active there will be commercial vehicles parked on-street. However these will not be present during evenings and weekends, freeing up parking space for other users, including residents and any clients of the subject premises. Also local residents who drive to work will free up on-street parking spaces during the day and will return during evenings.
40. It is pertinent that Peffer Bank is a cul-de-sac and so has a relatively traffic-calmed environment with no through-traffic. On-street parking is complemented by a number of parking spaces provided within the recent residential development at the west end of the road. Additional on-street parking is also available within short walking distance in the streets to the east of Duddington Road West.
41. It is notable that the grassed recreation ground immediately in front of the site is used for junior football matches which can attract a significant number of participants and spectators, generating a large number of cars and other vehicles, particularly during the summer. This results in large numbers of vehicles being parked in Peffer Bank and surrounding streets. By contrast the use of the subject building would generate a negligible number of vehicle movements.
42. Cycling - the premises are easily accessible by bicycle. There is no designated cycle parking or storage but a small number of bikes could be accommodated within the building by arrangement with the operators, or parked on-street.

***Ret c) - 'the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character'***

43. The site has an industrial character having been used in association with the adjacent glazing business for nearly 30 years and previously as a recycling depot. The setting of the proposed building is particularly influenced by the glazing factory at no27 which is of substantial height and massing, prominent blue colour steel cladding with a corrugated effect, and prominent corporate advertising.
44. The subject building also has the character of an industrial building and complements the glazing factory with its steel cladding which also has a corrugated effect. It is not of high architectural standard but is a functional building suitable for an industrial site, and which also complements its wider setting.
45. The four storey tenement to the east also influences the setting, being of considerably greater height than the subject building. To the rear of the site is a disused brewery

building which is also of substantial height and bulk, and is currently subject of proposals for flatted redevelopment.

46. The subject building is of two storeys and is subservient to all immediately neighbouring buildings. Its depth from front to back is the same dimension as the adjacent tenement, and continues the same building line, in conformity with the Council's Design Guidance regarding the positioning of buildings within a site (p45).
47. Its location in-between tall buildings on three sides results in limited visibility of the building being possible. It can only be seen from the front and this view is also constrained due to the brick wall and security shutters along the street frontage. The shutters across the front of the yard are generally kept closed which results in only the top section of the building being visible. The heavy tree presence directly opposite the site within the recreation ground also screens the site in views from Peffermill Road.



**Fig 3 - View of Building from the front, located between the glazing business and tenement and set behind security shutters**

48. For all the above reasons we consider the building has an appearance suitable for its setting and in the context of neighbouring premises. This also satisfies the Council's policies regarding design principles (see section 4 below).

***Ret d) - 'the proposal is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance, and on-street activity at unsocial hours to the detriment of living conditions for nearby residents'***

49. The provision of a leisure activity within a mixed use residential area will increase and diversify the range of facilities available to local residents, and we consider this should be regarded as a benefit in favour of granting consent. However the applicant also acknowledges that this should not be at the expense of the peaceful residential amenity of neighbours.

50. Mr Gilchrist has owned the site and operated the glazing business here for nearly 30 years. He consequently knows the area intimately and is very mindful of the desire for neighbourliness, particularly for residents of the tenement flats adjacent to the subject building. He consequently does not wish to allow any party to operate from the premises which might cause undue disturbance or concern.
51. Proposed leisure operators - The recent enforcement letter received from the council refers to a complaint having been made. It does not specify the subject of the complaint, but Mr Gilchrist has consequently reflected on the nature of the two practitioners who have been in occupation since June 2019. He realises that the dance tutor may be likely to play music as part of her classes, some of which are during evenings, and that this may cause concern to neighbours.
52. He has therefore taken a pragmatic decision to discontinue the dance tutor's occupation. The signage for her business has also been removed. The martial arts instructor has expressed interest in occupying the whole building and it has now been agreed that he will use both studios on ground and upper floors, should planning permission be granted.
53. Noise restriction - The applicant is also willing to accept a planning condition that any music or other audible sound should be restricted to a level appropriate to ensure residential amenity outwith normal working hours, say from 7pm in the evening. Such a restriction would be appropriate for the martial arts instructor and we trust this can be regarded positively in consideration of this planning application.
54. Opening hours - It is intended that use of the building should continue until 9pm on midweek evenings to facilitate the martial arts instructor's classes. As already mentioned, it is not anticipated that his classes will generate significant numbers of clients nor that activity outside the building would be generated that might be regarded as anti-social.
55. We trust that allowance for these operating hours can be specified by a planning condition. However if the Council disagrees with this situation, the applicant would not wish this matter to prevent planning permission being granted if all other matters are acceptable. We would therefore welcome a dialogue with the appointed planning case officer so that appropriate opening hours can be agreed.
56. Bad neighbour use - Given the nature of the intended occupier of the building we have indicated on the application form that the proposed use does not constitute notification under Section 3 of the Development Management Procedure Regulations.

#### **4. Design Principles**

57. Section 2 of the LDP requires proposals to be of an appropriate standard of design and detailing to respect the character and quality of the local environment. These matters

have been covered in the commentary provided above from which we consider the proposal particularly satisfies the following policies :

58. ***Policy Des 1 'Design Quality and Context'*** - the proposal will complement the site and its immediate surrounding area and contribute to a sense of place
59. ***Policy Des 4 'Impact on Setting'*** - the proposal has appropriate regard to its setting by way of the building's height, form, scale and proportion in that it is subservient to neighbouring buildings; the position of the building within the site respects the building line of the tenement ; and the use of materials and detailing complement the glazing factory building
60. ***Policy Des 5 'Amenity'*** - the amenity of neighbours is respected and can be ensured by appropriate planning conditions regarding noise and opening hours (as above).
61. Regarding the disposal of waste, only a minimal amount of waste or recycling is generated by the occupier of the premises. Any waste is initially retained within the building and arrangement for its regular disposal is made with the landlord (the applicant) in association with his adjacent industrial (glazing) business.

#### **CONCLUSION**

62. For all the above reasons we consider that the construction of the building at 25 Pepper Bank and its use for the stated Class 11 leisure purposes is in conformity with the development plan, and we respectfully request that planning permission is granted.
63. We would be glad to discuss with the appointed planning case officer any of the matters addressed in this planning statement and particularly should the Council consider any aspects of the proposal are unacceptable and require resolution. We are sending a copy of this statement to Mr Martin of the Council's enforcement team for information.

**EDINBURGH LOCAL DEVELOPMENT PLAN (2016)**  
**RELEVANT POLICIES AND SUPPORTING TEXT, INCLUDING THOSE REFERENCED IN THE REASONS FOR REFUSAL**

**Chapter 2**      **Design Principles for New Development**

150 The Council encourages innovation and well designed developments that relate sensitively to the existing quality and character of the local and wider environment, generate distinctiveness and a sense of place, and help build stronger communities. Policies Des 1–Des 13 will be used to assess planning applications to meet the following objectives. More detailed advice on how to interpret and apply these policies can be found in Council guidance including in the Edinburgh Design Guidance document.

**Objectives**

- a) To ensure that new development is of the highest design quality and respects, safeguards and enhances the special character of the city
  
- b) To ensure that the city develops in an integrated and sustainable manner
  
- c) To create new and distinctive places which support and enhance the special character of the city and meet the needs of residents and other users

**Policy Des 1 - Design Quality and Context**

*Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.*

151 This policy applies to all new development, including alterations and extensions. The Council expects new development to be of a high standard of design. The Council's policies and guidelines are not to be used as a template for minimum standards. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.

**Chapter 4**      **Employment and Economic Development**

**Policy Emp 9 - Employment Sites and Premises**

**Proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:**

- a) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use;
  
- b) the proposal will contribute to the comprehensive regeneration and improvement of the wider area;

c) and, if the site is larger than one hectare, the proposal includes floorspace designed to provide for a range of business users.

**Planning permission will be granted for the development for employment purposes of business and industrial sites or premises in the urban area.**

217 This policy applies to sites or premises in the urban area currently or last in use for employment purposes not covered by Policies Emp 2 - Emp 8. It provides support for such sites to remain in employment use but recognises the potential benefits of redevelopment for other uses.

218 The policy aims to help meet the needs of small businesses by ensuring that if where large (i.e. greater than one hectare) business or industry sites are to be redeveloped for other uses, proposals must include some new small industrial/business units. The justification for this criteria lies in the Edinburgh Small Business Study, updated in 2011, which identified that businesses with fewer than 10 employees, account for around 14% of the city's employees and that the current supply of suitable premises is insufficient to meet market demand.

219 Redevelopment proposals on all employment sites, regardless of size, need to take account of impact on the activities of neighbouring businesses and any regeneration proposals for the wider area.

## Chapter 5 [Housing and Community Facilities](#)

### **Policy Hou 7 - Inappropriate Uses in Residential Areas**

***Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.***

234 The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions. This policy will be used to assess proposals for the conversion of a house or flat to a House in Multiple Occupation (i.e. for five or more people). Further advice is set out in Council Guidance

## Chapter 6 [Shopping and Leisure](#)

### **Entertainment and Leisure Uses**

253 Policies Ret 7 and Ret 8 apply a sequential approach to the location of entertainment and leisure uses such as cinemas, theatres, restaurants, night clubs, ten pin bowling, bingo halls and soft play centres. These policies will also be applied to proposals for visitor attractions supporting Edinburgh's role as a major tourist destination and cultural centre of international importance.

254 The preferred locations for entertainment and leisure development are the City Centre (as shown on the Proposals Map), the eight nine town centres and as part of mixed use regeneration proposals at Leith Waterfront and Granton Waterfront.

## **Policy Ret 7 - Entertainment and Leisure Developments - Preferred Location**

***Planning permission will be granted for high quality, well designed arts, leisure and entertainment facilities and visitor attractions in the City Centre, at Leith and Granton Waterfront and in a town centre, provided:***

***a) the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character***

***b) the proposal is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance and on-street activity at unsocial hours to the detriment of living conditions for nearby residents***

***c) the development will be easily accessible by public transport, foot and cycle.***

**255** The purpose of this policy is to identify the preferred locations for entertainment and leisure development and to ensure that such proposals make a positive contribution in terms of the type of use and quality of design, are in accessible locations and do not introduce unacceptable noise and late night disturbance.

**256** The City Centre has a mixed use character and provides a wide range of leisure uses, arts and cultural establishments and pubs and restaurants. Whilst recognising the importance of such uses to the local and national economy, the policy takes account of potential impact on the environment and local residents.

**257** Entertainment and leisure uses will be a key component of the major regeneration proposals at Leith Waterfront and Granton Waterfront and are also appropriate in town centres, contributing to the diversity and vitality.

## **Policy Ret 8 - Entertainment and Leisure Developments - Other Locations**

***Planning permission will be granted for entertainment and leisure developments in other locations provided:***

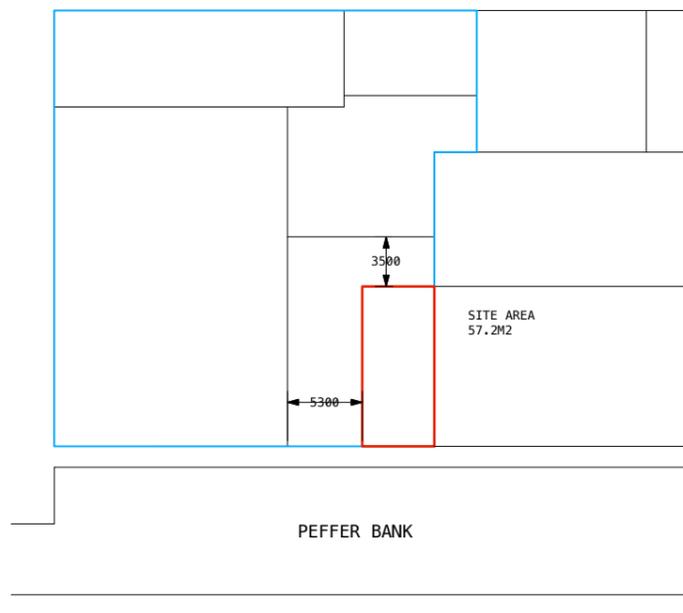
***a) all potential City Centre, or town centre options have been thoroughly assessed and can be discounted as unsuitable or unavailable***

***b) the site is or will be made easily accessible by a choice of means of transport and not lead to an unacceptable increase in traffic locally***

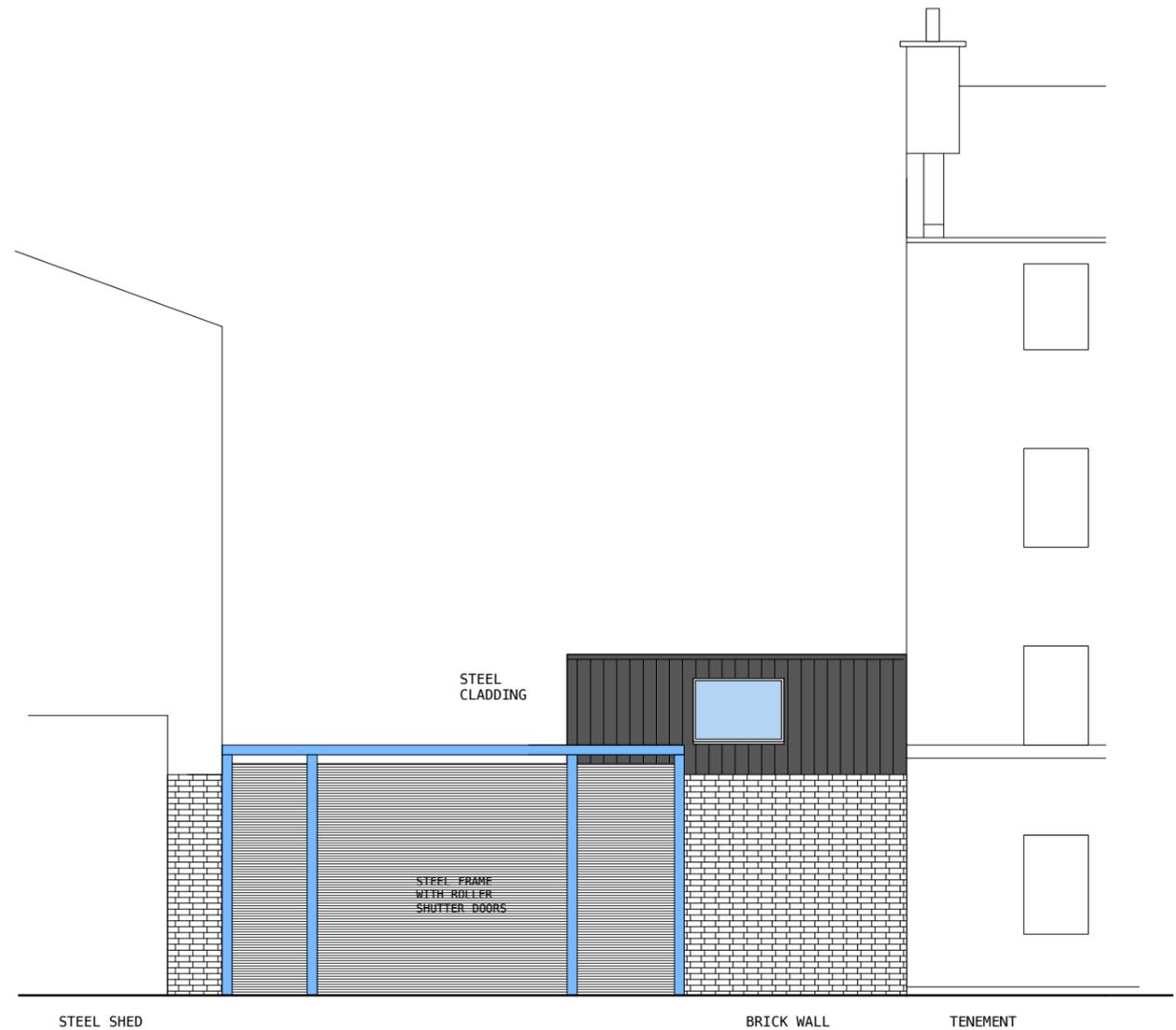
***c) the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character***

***d) the proposal is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance and on-street activity at unsocial hours to the detriment of living conditions for nearby residents.***

**258** This policy sets out criteria for assessing proposals for entertainment and leisure developments in other locations, such as commercial centres, local centres and elsewhere in the urban area. Key considerations include accessibility by public transport, design quality and impact on the character of the area and local residents.



**SITE PLAN**  
SCALE 1:250@A1 AND 1:500@A3



**STREET ELEVATION (SOUTH)**

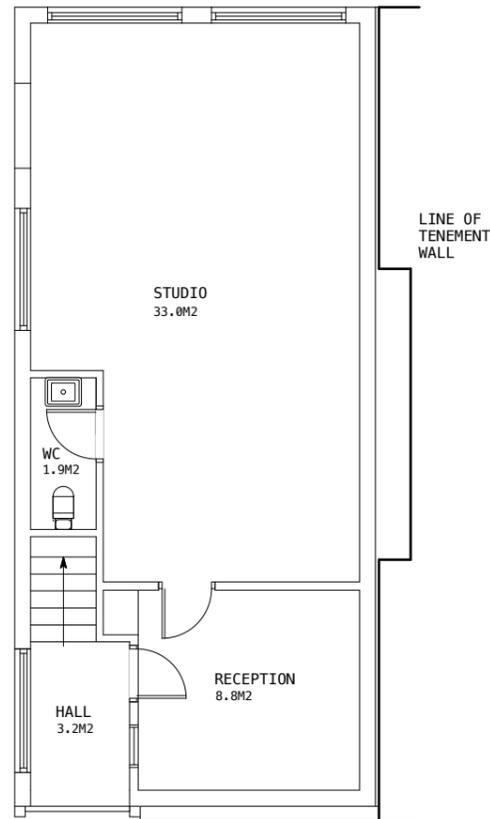
SCALE 1:50@A1. AND 1:100@A3

| REVISIONS |             |      |
|-----------|-------------|------|
| No.       | DESCRIPTION | DATE |
|           |             |      |
|           |             |      |

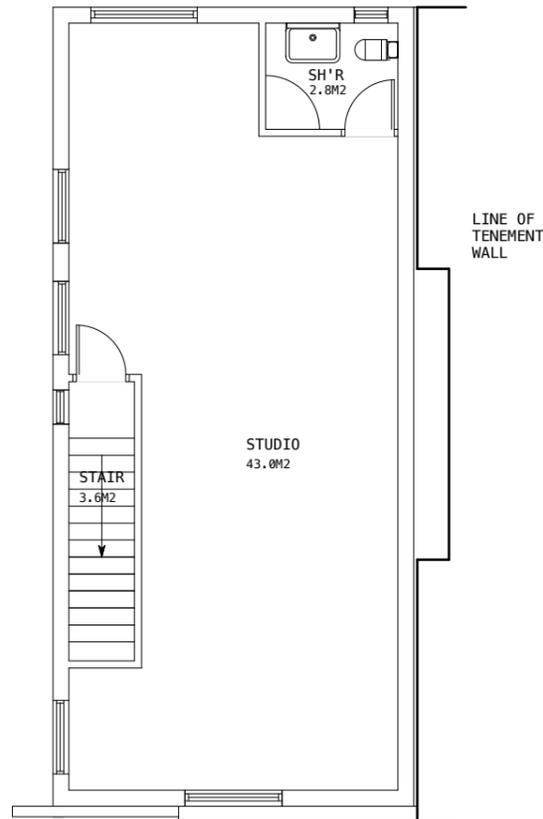
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| DATE       | SEPT 19          |
| DRAWING NO | 90.01            |
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| JOB NO     | REM9-326         |
| DRAWN      |                  |
| REVISIONS  |                  |

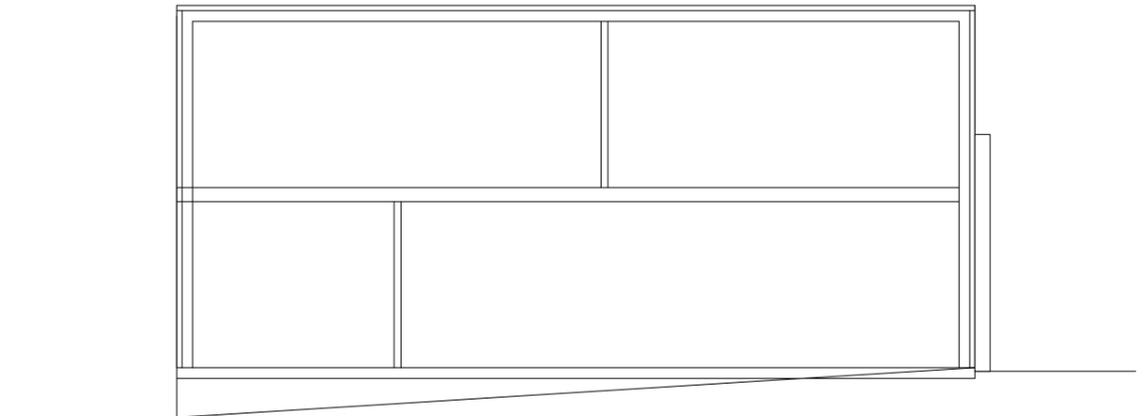
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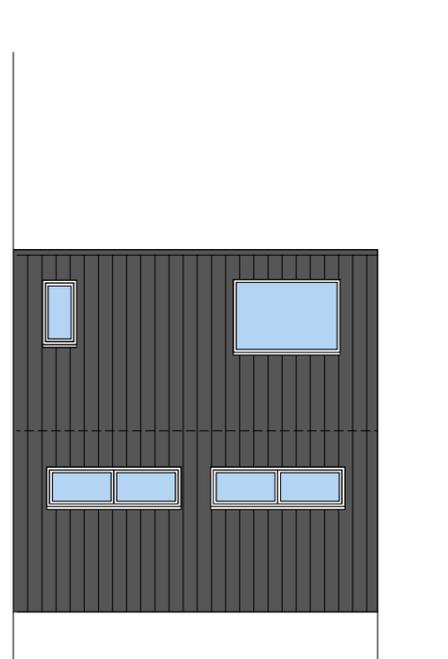
GROUND FLOOR PLAN



UPPER FLOOR PLAN



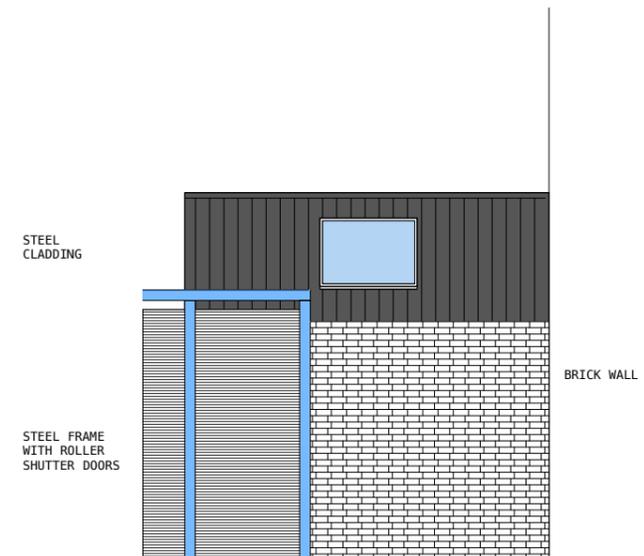
SECTION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

| REVISIONS |             |      |
|-----------|-------------|------|
| No.       | DESCRIPTION | DATE |
|           |             |      |

EXTERNAL FINISHES  
 ROOF - STEEL CLADDING  
 WALLS - STEEL CLADDING  
 WINDOWS - UPVC, DOUBLE GLAZED, WHITE

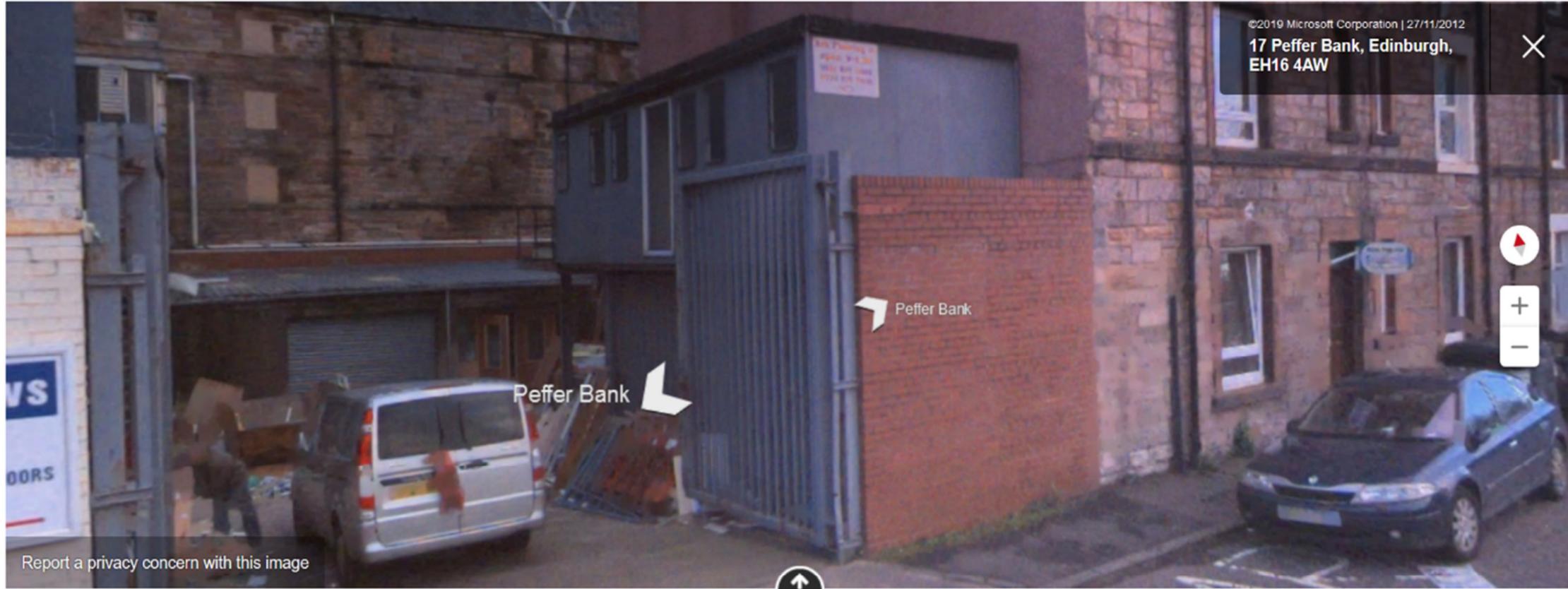
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| REVISIONS  |                  |

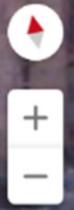
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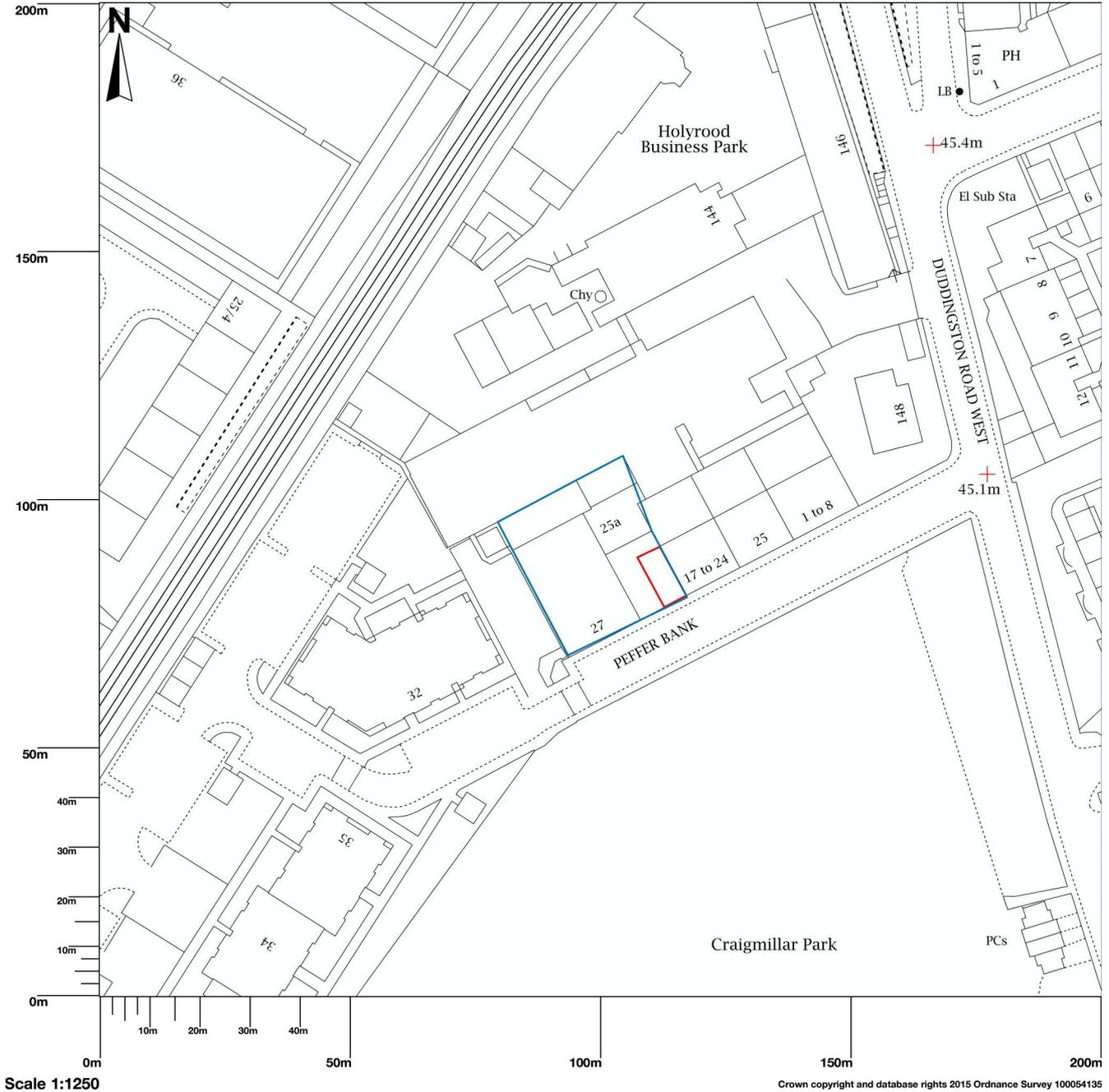


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