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Quadrant
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Edinburgh
Scotland
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Decision date: 18 December 2019

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

5no. new parking places in lieu of parking and mews building structure (2no dwellings) forming part of Planning Consent ref. 16/03356/PPP. (As amended)
At Former 9 - 21 Salamander Place Edinburgh

Application No: 19/04487/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 20 September 2019, this has been decided by **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 development is contrary to Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context), as it fails to enhance the existing townscape, or to contribute to its sense of place, at this edge of conservation area location and is damaging to the character and appearance of the surrounding area.
2. The development is contrary to LDP Policies Del 3 (Edinburgh Waterfront) and Des 2 (Co-ordinated Development) as the design fails to accord with the proposals for the comprehensive development and regeneration of the wider area, as supported in the Edinburgh Waterfront Development Principles for Leith Waterfront (LDP reference EW1c) and the scheme approved under the planning permission in principle (reference 16/03356/PPP); The resulting piecemeal development impacts negatively on the

otherwise, well defined and cohesive network of streets and spaces being delivered in this new urban quarter.

3. The design and location of the refuse store is contrary to the provisions of LDP Policy Des 5 (Development Design - Amenity), as it has not been sensitively integrated into the design for the overall public realm and impacts negatively on the surrounding townscape.

4. The development subject to this application is contrary to Edinburgh Local Development Plan Policy Tra 4 (Design of Off-Street Car and Cycle Parking), as it would prevent the continuation of an active frontage on the public street and the related improvements to the appearance and vitality of the townscape, as proposed in the approved masterplan.

5. The development is contrary to the provisions of Edinburgh Local Development Plan Policy Env 6 (Conservation Areas- Development) as its piecemeal form and lack of defined frontage, fails to contribute positively to the character of the surrounding townscape and is therefore damaging to the setting of the Leith Conservation Area.

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

Drawings 01,02a., 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 development is contrary to LDP Policy Des 1 (Design Quality and Context), as it fails to enhance the existing townscape, or contribute to its sense of place, next to the Leith Conservation Area and is damaging to the area's character and appearance. The resulting piecemeal development impacts negatively on the well defined and cohesive network of streets and spaces being delivered elsewhere through the planning permission in principle.

The development is also contrary to LDP Policies Del 3 (Edinburgh Waterfront) and Des 2 (Co-ordinated Development) as the design fails to accord with the proposals for the comprehensive development and regeneration of the wider area.

The refuse store is also contrary to LDP Policy Des 5 (Development Design- Amenity), as it has not been sensitively integrated within the design for the overall public realm and constitutes an unsightly feature in the streetscape.

The development is damaging to the existing townscape character and fails to safeguard or enhance the setting of the adjoining, Leith Conservation Area, contrary to the provisions of LDP Policy Env 6 (Conservation Areas- Development).

In addition, the development is contrary to LDP Policy Tra 4 (Design of Off- Street Car and Cycle Parking), as it fails to provide for the continuation of an active frontage on the public street, and to deliver related improvements to the appearance and vitality of this townscape.

There are no other material issues which outweigh these conclusions.

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 Carla Parkes directly on 0131 529 3925.

D R Leeshie

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

NOTES

1. If the applicant is aggrieved by the decision of the planning authority 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 appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The appeal can be made online at www.eplanning.scot or forms can be downloaded from that website and sent to the Planning and Environmental Appeals Division, 4 The Courtyard, Callendar Business Park, FALKIRK FK1 1XR.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, 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 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission 19/04487/FUL At Former, 9 - 21 Salamander Place, Edinburgh 5no. new parking places in lieu of parking and mews building structure (2no dwellings) forming part of Planning Consent ref. 16/03356/PPP. (As amended)

Item	Delegated Decision
Application number	19/04487/FUL
Wards	B13 - Leith

Summary

The development is contrary to LDP Policy Des 1 (Design Quality and Context), as it fails to enhance the existing townscape, or contribute to its sense of place, next to the Leith Conservation Area and is damaging to the area's character and appearance. The resulting piecemeal development impacts negatively on the well defined and cohesive network of streets and spaces being delivered elsewhere through the planning permission in principle.

The development is also contrary to LDP Policies Del 3 (Edinburgh Waterfront) and Des 2 (Co-ordinated Development) as the design fails to accord with the proposals for the comprehensive development and regeneration of the wider area.

The refuse store is also contrary to LDP Policy Des 5 (Development Design- Amenity), as it has not been sensitively integrated within the design for the overall public realm and constitutes an unsightly feature in the streetscape.

The development is damaging to the existing townscape character and fails to safeguard or enhance the setting of the adjoining, Leith Conservation Area, contrary to the provisions of LDP Policy Env 6 (Conservation Areas- Development).

In addition, the development is contrary to LDP Policy Tra 4 (Design of Off- Street Car and Cycle Parking), as it fails to provide for the continuation of an active frontage on

the public street, and to deliver related improvements to the appearance and vitality of this townscape.

There are no other material issues which outweigh these conclusions.

Links

[Policies and guidance for this application](#)

LPC, LDEL03, LDES01, LDES04, LDES07, LDES02, LDES05, LDES08, LEN09, LEN21, LEN03, LEN21, LTRA04, CRPLEI, LEN06, NSG, NSGD02, NSLBCA, NSGD02, NSLBCA,

Report of handling

Recommendations

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

Background

2.1 Site description

The application site is located on the east side of Salamander Place, immediately south of the junction with Chandler Crescent. It covers an area of 210 sqm. It forms part of the former White and Mackay bottling plant which is being redeveloped as part of the masterplan consented under application reference 16/03356/PPP and subsequent AMC applications. The existing site has been partially surfaced in grey coloured pavements and contains five parking spaces and a central manoeuvring area. A brick built, open top refuse store is located on the Salamander Place street frontage.

A refurbished category B listed office building (LB 27783, 29/04/1977) lies opposite the site, on the corner of Salamander Place and Links Place. Tenement flats face on to the southern boundary of the site, on the corner of Salamander Place and Salamander Street.

The application site lies immediately to the north of the Leith Conservation Area.

2.2 Site History

15 May 2017 - Planning permission granted in principle for residential development and commercial development (Class 1 (Retail), Class 2 (Financial, Professional and other services), Class 3 (Food and Drink), Class 4 (Business), open space including extension to the allotment facility, and all ancillary development (application number 16/03356/PPP). As part of this permission detailed plans were approved for two mews style units, sited above a commercial bin store at this site, which lies within phase B1-B3 of the approved phasing plan (application number 16/03356/PPP).

23/11/2017- Application granted for approval of matters reserved by condition relating to phases 2 and 3 of the above planning permission in principle (application number 17/02658/AMC).

13/07/2018 - Request for minor variation to application number 16/03356/PPP to allow for elevational changes at phase 2 agreed (application number 16/03356/VARY).

Main report

3.1 Description Of The Proposal

These mainly retrospective proposals are for the installation of five parking places, an external commercial bin enclosure and associated landscaping, in place of parking, ground floor refuse store and two, upper storey, mews style dwelling units, approved under the planning application in principle for a residential led, redevelopment scheme for the wider site. Ancillary landscape works are also proposed, including the addition of two trees, and areas of shrubbery.

The proposed car park is surfaced with grey coloured, porous pavements, to match those at the adjoining car park.

The refuse store is constructed of grey coloured facing bricks, to match those at the adjoining block. Its gates open onto the street frontage and are composed of galvanised steel.

Previous Scheme

The proposals, as originally submitted, included a less detailed landscaping plan, with no trees shown on the layout and no elevational drawing of the proposed refuse store.

Supporting Documents

A revised drainage report and updated statement from the applicant's drainage consultants have been submitted in support of the application.

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.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 proposals contribute towards high quality townscape and public realm;
- c) The impacts on the setting of the conservation area or the neighbouring listed building;
- d) The proposed parking and access arrangements are acceptable and in compliance with the Council's standards;
- e) Any other material issues - archaeology and flood prevention.

a) Principle of Development

Edinburgh Local Development Plan (LDP) Policy Del 3 (Edinburgh Waterfront) supports development which contributes towards the creation of new urban quarters at Leith Waterfront and Granton Waterfront.

The requirements in principle of this policy include:

- a) Comprehensively designed proposals which maximise the development potential of the area;
- b) The provision of a series of mixed use, sustainable neighbourhoods that connect to the waterfront, with each other and with nearby neighbourhoods;
- c) Proposals for a mix of house types, sizes and affordability; and
- d) The provision of open space in order to meet the needs of the local community, create local identity and a sense of place.

The loss of the two residential units from the planning permission in principle for the wider development site, which included 667 units, would not result in any significant reduction of housing numbers, or change to the balance of uses or mix of house types within this approved development. The proposals at the overall development site subject to the planning permission in principle, would continue to comply with the Edinburgh Waterfront development principles for East of Salamander Place (LDP Reference EW1c) which support proposals for a housing-led, mixed use development.

It is further confirmed that the target number of affordable housing units within the PPP site has been met at this stage and the flats concerned are not required to meet this provision. In this respect the proposals do not conflict with the respective provisions of LDP policy Del 3, or the Leith Waterfront, development principles.

Edinburgh Waterfront Development Principles further support proposals which include key streets and frontages identified in the indicative proposals for development within the eastern part of the area subject to EW1C. The site has a frontage onto Salamander Place, which was identified in the Salamander Place Development Brief (2007) as an important frontage in which opportunities to improve the public realm are encouraged. The mews style building originally approved at this site were designed to continue the built frontage on Salamander Place in a co-ordinated and comprehensively designed manner, in accordance with the provisions of LDP Del 3 and the related development principles for Leith Waterfront.

However, the development carried out at this corner site, fails to accord with the layout in the overall, comprehensively designed development proposals and are therefore contrary to the provisions of LDP Policy Del 3.

b) Townscape and Public Realm

LDP Policy Des 1 (Design Quality and Context) requires that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place and that design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

The development impacts negatively on the surrounding streetscape by providing an untidy and fragmented frontage on this otherwise, well defined, cohesive street frontage. It therefore fails to enhance the townscape or sense of place in this part of the PPP site and is contrary to the provisions of policy Des 1 (Design Quality and Context).

LDP Policy Des 2 (Co-ordinated Development) requires the effective development of adjacent land and the comprehensive development and regeneration of a wider area, as provided for in a masterplan, strategy or development brief, approved by the Council.

The increased area of car parking is located at a prominent street corner within the approved PPP layout plans. The design principles of the PPP include the incorporation of parking at underground locations in order to facilitate the formation of a strong streetscape with active frontages. The approved mews style building, was specifically designed to suit this key site which formed part of the wider, comprehensively designed development scheme. The parking for the approved dwelling units and the refuse store were to be enclosed beneath the upper storeys of this building. As well as maximising the development potential of the site, the approved scheme provided an active frontage, adding interest and animation at this prominent street frontage.

The development is therefore contrary to LDP Policy Des 2 (Co-ordinated Development) as it fails to accord with the proposals for the comprehensive development and regeneration of the wider area, as approved under the relevant planning permission in principle.

Furthermore, the siting and design of the refuse store is contrary to the provisions of LDP Policy Des 5 (Development Design- Amenity) as the open topped design and location of the bin store, at an exposed location on the street frontage, has not been sensitively integrated within the surrounding development scheme subject to the PPP application.

In relation to car park design, the LDP states that poorly located or designed car parks can detract from the visual appearance and vitality of surrounding area. The provisions of LDP Policy Tra 4 (Design of Off- Street Car and Cycle Parking) state that:

'car parking should preferably be provided at basement level within a building and not at ground level where this would be at the expense of an active frontage to a public street, public place or private open space.'

And:

'the design of surface car parking should include structural planting to minimise visual impact.'

The proposed soft landscaping scheme would help break up the visual impacts of the expanse of hard surfacing created, due to the increased number of parking spaces at this site. However, the enhancing impacts of the additional landscaping would not be sufficient to offset the detrimental impacts on the appearance of the streetscape, as a

result of the lack of provision of a well-defined and active frontage at this prominent location.

The works subject to this application are contrary to the provisions of LDP Tra 4, as they fail to provide a well-defined and active frontage on this part of the public street, or produce the related improvements to the visual appearance and vitality of this townscape.

The development is therefore contrary to the provisions of LDP Policies Des 1 (Design Quality and Context, Des 2 (Co-ordinated Development), Des 5 (Development Design - Amenity) and Tra 4 (Design of Off-Street Car and Cycle Parking) for the reasons stated.

c) Impacts on Conservation Area and Setting of Listed Building

The southern boundary of the site borders onto the northern edge of the Leith Conservation Area.

LDP Policy Env 6 (Conservation Areas- Development) states that development within a conservation area or affecting its setting, 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 clearly defined public frontages manifested in the block layout for the approved PPP layout, is informed by the characteristic townscape in the neighbouring conservation area. The poorly defined frontage treatment and unsuitable design of this development fails to contribute to the enhancement of the area's townscape, including its conservation area setting.

The proposals which neither preserve nor enhance the character and appearance of the conservation area, are contrary to the provisions of LDP Policy Env 6 (Conservation Areas- Development).

As the application site lies just outwith the Leith Conservation Area, the proposal is not subject to the provisions of section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The site of the proposals faces onto the side elevation of the category 'B' listed office building, on the opposite side of Salamander Place.

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:-

In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposed works will have no material impact on the setting of this substantial scale, listed building, the principal facade of which is situated on Leith Links.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve the neighbouring listed building and its settings including any special architectural or historic interest it possesses.

d) Road Safety and Parking

The total number of car parking spaces across the whole of the site subject to the planning permission in principle, when taking into account the additional spaces created under this application, would remain below the maximum level set out in the Planning Permission in Principle. This level of provision therefore remains acceptable.

However, the width of the vehicular access to this car park, at 6 metres, is in excess of the maximum width of 3 metres, (or 4.8 metres including transitions if by dropped kerb), as prescribed in the technical section of the Edinburgh Design Guidance. The current width does not ensure that sufficient priority is given to pedestrian safety.

Furthermore, the outward opening of the gates of the refuse store have the potential to obstruct the public footway. However, such potential hazards would be controlled through the Roads Scotland Act.

d) Other Material Issues

i) *Flood Management and Drainage*

The applicant has submitted a copy of the original drainage report and flood risk management plan for the proposals subject to the original application. These drainage proposals have taken account of all surface water treatment and flooding requirements for the works subject to the current application. This opinion is accepted by the Council, in its role as flood prevention authority. The proposed paving is porous and would therefore help facilitate sustainable urban drainage measures.

The proposals comply with the provisions of LDP Policy Env 21 (Flood Prevention).

ii) *Archaeological Issues*

LDP Policy Env 9 (Development of Sites of Archaeological Significance) requires the protection and enhancement of archaeological remains, where possible.

The City Archaeologist has advised that results of the archaeological investigations carried out on the overall PPP site have indicated that it is unlikely that significant remains will have survived in situ.

CONCLUSION

The development is contrary to LDP Policy Des 1 (Design Quality and Context), as it fails to enhance the existing townscape, or contribute to its sense of place, next to the Leith Conservation Area and is damaging to the area's character and appearance. The resulting piecemeal development impacts negatively on the well-defined and cohesive network of streets and spaces being delivered elsewhere through the planning permission in principle.

The development is also contrary to LDP Policies Del 3 (Edinburgh Waterfront) and Des 2 (Co-ordinated Development) as the design fails to accord with the proposals for the comprehensive development and regeneration of the wider area.

The refuse store is also contrary to LDP Policy Des 5 (Development Design- Amenity), as it has not been sensitively integrated within the design for the overall public realm and constitutes an unsightly feature in the streetscape.

The development is damaging to the existing townscape character and fails to safeguard or enhance the setting of the adjoining, Leith Conservation Area, contrary to the provisions of LDP Policy Env 6 (Conservation Areas- Development).

In addition, the development is contrary to LDP Policy Tra 4 (Design of Off- Street Car and Cycle Parking), as it fails to provide for the continuation of an active frontage on the public street, and to deliver related improvements to the appearance and vitality of this townscape.

There are no other material issues which outweigh these conclusions.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The development is contrary to Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context), as it fails to enhance the existing townscape, or to contribute to its sense of place, at this edge of conservation area location and is damaging to the character and appearance of the surrounding area.
2. The development is contrary to LDP Policies Del 3 (Edinburgh Waterfront) and Des 2 (Co-ordinated Development) as the design fails to accord with the proposals for the comprehensive development and regeneration of the wider area, as supported in the Edinburgh Waterfront Development Principles for Leith Waterfront (LDP reference EW1c) and the scheme approved under the planning permission in principle (reference 16/03356/PPP); The resulting piecemeal development impacts negatively on the otherwise, well defined and cohesive network of streets and spaces being delivered in this new urban quarter.
3. The design and location of the refuse store is contrary to the provisions of LDP Policy Des 5 (Development Design - Amenity), as it has not been sensitively integrated into the design for the overall public realm and impacts negatively on the surrounding townscape.
4. The development subject to this application is contrary to Edinburgh Local Development Plan Policy Tra 4 (Design of Off-Street Car and Cycle Parking), as it would prevent the continuation of an active frontage on the public street and the related improvements to the appearance and vitality of the townscape, as proposed in the approved masterplan.

5. The development is contrary to the provisions of Edinburgh Local Development Plan Policy Env 6 (Conservation Areas- Development) as its piecemeal form and lack of defined frontage, fails to contribute positively to the character of the surrounding townscape and is therefore damaging to the setting of the Leith Conservation Area.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on 3 October 2019 and no representations were received.

Background reading / external references

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

**Statutory Development
Plan Provision**

Local Development Plan

The site is located within area EW 1c (Leith Waterfront, East of Salamander Place) for a housing-led mixed use development. Part of the site to the east is allocated a Greenspace proposal GS 3 (Leith Links Seaward Extension). The Leith Conservation Area lies to the south of the site and covers the existing allotments.

Leith Links Seaward Expansion Study 2008

The Study sets out a strategic vision for the extension of Leith Links. The vision included the provision of allotments.

Salamander Place Development Brief 2007

The Salamander Place Development Brief sets out key principles for developing the area in which this site is located. These include proposals providing key streets and frontages as set out in the Brief, the implementation of the park extension, provision of a cycle route, extend the existing mix of uses and provide sites for smaller industrial units.

Date registered

20 September 2019

**Drawing
numbers/Scheme**

01,02a.,

Scheme 2

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

Contact: Carla Parkes, Senior Planning Officer
E-mail: carla.parkes@edinburgh.gov.uk Tel: 0131 529 3925

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

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

Relevant Non-Statutory Guidelines

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

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

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

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

Appendix 1

Consultations

CEC Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for 5 new parking spaces in lieu of parking and mews building structure (2 no. dwellings) forming part of planning consent 16/03356/PPP.

The site was identified as being located within an area archaeological potential particularly relating to 18th-20th century. As part of the mitigation required to be undertaken in relation to conditions attached to the 2016 PPP application this site was evaluated in March 2018 by AOC Archaeology Group. The results indicated that the area had suffered from modern truncation and that it is unlikely that significant remains will have survived in situ.

Accordingly, it has been concluded that there are no known archaeological implications regarding this application.

CEC Roads Authority

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

- 1. The Applicant should consider electric vehicle charging infrastructure for this development, including the potential for rapid charge capabilities;*
- 2. The applicant should note that the proposed development is in an area being investigated for on-street parking controls (i.e. controlled parking zone);*
- 3. The parking area should comply with the Council's Street Design Guidance and associated Fact Sheets, the main points are as follows:*
 - a. Access to any car parking area to be a maximum width of 3m (4.8m including transitions if by dropped kerb);*
 - b. Any gate or doors must open inwards onto the property;*
 - c. Any hard-standing should be porous;*
 - d. The works to form an access must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point*

Note:

- 1. With regards to the level of car parking provision across the whole site this application has been considered alongside the phased AMC planning applications and the proposed level of car parking provision is still within the maximum level set out in the PPP (16/03356/PPP).*

Environmental Protection

The applicant proposes developing 5 new carparking spaces to serve an already consented large development. Although the proposed parking level is low when considered cumulatively with all the other consented parking as part of the wider consented development the overall parking numbers are high. The site is located in close proximity to an Air Quality Management Area that has been declared due to traffic related pollution. Environmental Protection recommend that air quality mitigation measures are included as part of this proposal and that all spaces shall be served with electric vehicle charging points.

The residential parking space highlighted on drawing number L(PL) 002 dated September 2019 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

The bin store area has been partially erected with a low brick wall and steel gate opening out onto Salamander Place. The bin store may be used by commercial operators. There are residential properties located near this bin store area and may be affected by noise and odours unless the area is better contained under a roof and wall.

Therefore, Environmental Protection offer no objection subject to the following condition being attached;

- 1. The residential parking space highlighted on drawing number L(PL) 002 dated September 2019 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.*

END



The Scottish Government

Planning and Environmental Appeals Division

Planning and Environmental Appeals Division

Appeals cannot be validated until all the necessary documentation has been submitted.

Thank you for completing this appeal form:

ONLINE REFERENCE 100180806-003

The online reference is the unique reference for your online form only. The Planning and Environmental Appeals Division will allocate an Appeal Number when your form is validated. Please quote this reference if you need to contact the Planning and Environmental Appeals Division about this appeal.

Appellant or Agent Details

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

Appellant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Appellant Details

Please enter Appellant details

Title:	<input type="text"/>	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"/>	Building Number:	<input type="text" value="52-54"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Dundas Street"/>
Company/Organisation	<input type="text" value="Teague Homes (UK) Ltd"/>	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="EH3 6QZ"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text"/>
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"/>
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"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="676113"/>	Easting	<input type="text" value="327569"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal. 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)

5no. new parking spaces in lieu of parking and mews building structure (2no. dwellings) forming part of Planning Consent ref. 16/03356/PPP

Type of Application

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

- Application for Planning Permission (including householder application – excluding application to work minerals).
- Application for Certificate of Lawfulness.
- Application for Listed Building Consent.
- Application for Conservation Area Consent.
- Application for Advertisement Consent.
- Application for Prior Approval.
- Application for Tree Works Consent.
- Application for Certificate of Appropriate Alternative Development.
- Application for Planning Permission to work minerals.

What type of planning application was submitted to the planning authority? *

- Application for Planning Permission.
- Application for Planning Permission in principle.
- A Further Application (including renewal of planning permission, modification, variation or removal of a planning condition etc).
- Approval of matters specified in conditions.

What type of decision did you receive from the planning authority and are now appealing against? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision – deemed refusal (NB: This does not apply to Prior Approvals).

Statement of Appeal

You must state in full, why you are appealing against the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider required to be taken into account in determining your appeal: * (Max 500 characters)

Note: you might not 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 will though be entitled to comment on (i) any additional matter which may be raised by the planning authority in its response to your appeal, or (ii) any representations the Scottish Government might receive from any other person or body.

The construction of the Mews is not commercially viable and the additional parking provides benefit to the adjacent development. The developer is not compelled by the detailed design consent under the Planning Permission in Principle, to complete the Mews in advance of commencing other phases. Recommendations from the Planning Department at time of the current application were included, as required under Local Development Plan policy Tra 4 (Design of Off Street Car and Cycle Parking Areas).

Have you raised any matters which were not before the planning authority at the time the decision
You are appealing against was made? *

Yes No

Please provide a list of all documents, materials and evidence which you have provided with your appeal and intend to rely on in support
of your appeal, ensuring that all documents are clearly numbered: * (Max 500 characters)

Drawings 1918 L(--001 Site Layout Car Park Proposals, 1918 L(--002_A Car Park Proposal and Supplementary Photographs.

Are you providing a separate statement of your Grounds of Appeal? *

Yes No

If Yes then please be prepared to upload this when you reach the end of the form.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/04487/FUL

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

19/09/2019

What date was the decision or certificate issued by the planning authority? *

18/12/2019

Appeals Procedure

The person appointed to determine your appeal will decide upon the procedure to be used. However you should indicate what
procedure you think is the most appropriate for the handling of the appeal.

Can this appeal continue to a conclusion in your opinion, based on a review of the relevant information provided by yourself and other
parties without any further procedures? *

Yes No

In the event that the Scottish Government Reporter appointed to consider your appeal decides to inspect the appeal 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

If there are reasons why you think the Reporter would be unable to access and view the appeal site alone, please explain here. (Max
500 characters)

Other Appeals Submitted Details

Have you or anyone else made any other related appeals to Scottish Ministers regarding this building and/or
Site?

Yes No

Checklist – Appeal Against Planning Authority Decision Or Failure of Planning Authority To Give Decision

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. The Planning and Environmental Appeals Division cannot start processing your appeal until it is valid.

Are you submitting a supplementary statement with your grounds of appeal? *

Yes No

If the appeal concerns approval of matters specified in conditions, or a Further Application to vary conditions – please attach a copy of the application, approved plans and decision notice from that earlier consent. *

Submitted Not Applicable

Copy of Plans/Drawing *

Yes No

Copy of planning authority decision notice (if no decision then this is deemed as a refusal). *

Yes No No decision

A copy of original application form and if applicable include certificates relating to land ownership. *

Yes No

Other documents, materials and evidence which you intend to rely on. *

Yes No

The Report of Handling prepared by the planning authority in respect of your application, where one exists. *

Yes No

Declare – Appeals against Refusals and other decisions

I/We the applicant/agent certify that this is an appeal to Scottish Ministers on the grounds stated.

Declaration Name: Mr Keith Cameron

Declaration Date: 05/03/2020

Proposal Details

Proposal Name	100180806
Proposal Description	5no. car parking spaces
Address	
Local Authority	City of Edinburgh Council
Application Online Reference	100180806-003

Application Status

Form	complete
Main Details	complete
Certificate of Ownership	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Appeals against Refusals and other decisions	System	A4
L PL 001	Attached	A3
L PL 002	Attached	A3
Supplementary Photographs	Attached	A4
Appeals_against_Refusals_and_oth-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Appeals against Refusals and other decisions-003.xml	Attached	A0

Robertson J (Jane)

From: Carla Parkes [REDACTED] >
Sent: 12 March 2020 15:02
To: Robertson J (Jane)
Cc: Gina Bellhouse
Subject: FW: PPA-230-2304 Consent Appeal in order, PA response required
Attachments: PPA-230-2304_20200306_1713_1.docx

Dear Jane,

I would confirm, as discussed, that due to an administrative error on the part of the Council, the incorrect advice was issued on the means of appealing on this decision and the applicant was advised to contact the DPEA rather than the City of Edinburgh Council (Local Review Body).

I would apologise for this error and look forward to hearing from you further on how best to resolve this matter.

Regards,

Carla

From: Carla Parkes
Sent: 11 March 2020 14:02
To: jane.robertson@scot.gov.uk
Subject: FW: PPA-230-2304 Consent Appeal in order, PA response required

Dear Jane,

As case officer for the planning application subject to the above appeal (Planning Ref. 19/04487/FUL) I have received notification of the relevant appeal. Could you please advise why this appeal is being handled by the DPEA as it was a determined under delegated powers.(and would normally be referred to the Council's Local Review Body).

I look forward to hearing back from you.

Best regards,

Carla Parkes

Subject: FW: PPA-230-2304 Consent Appeal in order, PA response required

Hi Carla,

New appeal received
All information on GDrive
Reps Notified : n/a
Due Back : 25 March 2020
Appeal Reference Number : 20/00026/REF

Application Reference Number : 19/04487/FUL

Thanks
Aidan

From: DPEA [REDACTED]
Sent: 06 March 2020 17:31
To: Planning Appeals <Planning.Appeals@edinburgh.gov.uk>
Subject: PPA-230-2304 Consent Appeal in order, PA response required

Sir/Madam,

Please find attached a document related to the case: PPA-230-2304 - 5No. New Parking Places In Lieu Of Parking And Mews Building Structure (2No Dwellings) Forming Part Of Planning Consent Ref. 16/03356/Ppp. (As Amended)

Regards,

Jane Robertson



[Case Publication Website](#)

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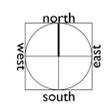
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NOTES:



Application boundary line indicated with red dashed line.

Existing boundary wall



P + H
 PATIENCE and HIGHMORE Architects
 QUADRANT
 17 BERNARD STREET
 EDINBURGH
 EH8 6PW
 TEL: 0131 555 0644
 E-MAIL: mail @ patienceandhighmore.com

JOB TITLE:
 SALAMANDER PLACE
 CAR PARKING APPLICATION

DRAWING TITLE:
 SITE LAYOUT
 CAR PARK PROPOSAL

STATUS:
PLANNING

SCALE:	1:200@A1	DATE:	SEP '19
JOB No:	1918	DRG No:	L(PL)001
DRAWN:	LMG	REV. No:	-

1of2. Supplementary photographs provided in support of Planning Application ref. **19/04487/FUL**



Existing shrubbed area planted in accordance with the PPP approved scheme to be extended to surround newly proposed parking spaces. Planting species, including new tree planting to be fully coordinated by the landscape designer. Temporary timber fencing to be removed, and existing turfed area to be taken out in lieu of additional shrubs.

2of2. Supplementary photographs provided in support of Planning Application ref. 19/04487/FUL



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