

# Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/03881/FUL  
at Bangholm Outdoor Centre, Craighall Gardens,  
Edinburgh.  
Erection of electrical substation for proposed sports and  
outdoor centre.**

**Item number**

**Report number**

**Wards**

B04 - Forth

## Summary

---

The proposed substation and its enclosure are small in scale and will be a discreet element within the wider approved Bangholm scheme. The design and location of the substation will not impact on the character and appearance of the nearby conservation area. As a modern substation, there will be no impact on residential amenity in relation to noise.

The proposal complies with the Local Development Plan. There are no material planning considerations which outweigh this conclusion.

## Links

---

[Policies and guidance for this application](#)

LDPP, LEN18, LEN06, LDES01, LDES03, LDES04, LDES05, LHOU07, LTRA02, LTRA04,

# Report

## **Application for Planning Permission 21/03881/FUL at Bangholm Outdoor Centre, Craighall Gardens, Edinburgh. Erection of electrical substation for proposed sports and outdoor centre.**

### **Recommendations**

---

1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

---

#### **2.1 Site description**

The application site is an area of open space and sports facilities known as Bangholm Recreation Ground. The site is used by the nearby Trinity Academy and the community and is owned by the Council.

Planning permission was granted in October 2020 for a replacement sports facility and outdoor centre and work has commenced on site.

The site lies within the urban area with the majority of the wider site designated as open space with the exception of the land covered by the previous sports facility buildings which have recently been demolished.

The surrounding area is predominantly residential. To the east, this includes two storey villas and flatted blocks which form part of the Trinity Conservation Area. The Bangholm site itself is outwith the conservation area.

#### **2.2 Site History**

20 December 2005 - proposal for replacement pavilion and all weather sports pitches and floodlighting determined as deemed consent following referral to Scottish Ministers (application reference: 05/00082/CEC).

4 September 2006 - New changing pavilion to replace existing, deemed permission (application reference: 06/02862/CEC).

28 October 2020 - Planning permission granted for erection of new build Sports and Outdoor Centre to replace existing facilities on site (to be demolished) and provide sports facilities to be used by both Trinity Academy (located on Craighall Avenue) and the wider community. (application reference: 19/05832/FUL)

23 July 2021 - Pending Non-Material variation to planning permission - Redesign & relocation of outdoor building, road access and associated landscape (application reference: 19/05832/VARY)

## **Main report**

---

### **3.1 Description of the Proposal**

It is proposed to erect an electrical substation within the grounds of the new sports facility.

The substation would be located to the east of the site opposite the main entrance and adjoining a trailer storage area. It would be set approximately 4m off the boundary of numbers 20 to 24 Craighall Gardens, a modern flatted block within the conservation area.

The substation is proposed to be enclosed by a 5m-by-5m vertical timber fence with a height of 2.5m. The substation itself would measure 3m by 2.5m with a height of 2.5m.

#### Supporting documents

The following document has been submitted in support of the application:

- Design statement

This is available to view on the Planning and Building Standards Online Service.

### **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, the Committee needs to consider whether:

- a) the principle of development is acceptable;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the design and location are acceptable;
- d) impact on neighbouring amenity is acceptable;
- e) parking and access arrangements are acceptable;
- f) any comments have been addressed.

#### a) Principle of Development

The site is within the urban area with the area of land for the proposed substation lying within an area of designated open space.

Local Development Plan (LDP) Policy Env 18 (Open Space Protection) is used to assess any loss of open space. This states that proposals involving the loss of open space will not be permitted unless they meet a set of criteria.

As established under application 19/05832/FUL, the principle of developing in this area is acceptable. The area has no recreational value and the replacement sports and outdoor facilities have a community purpose and the benefits to the local community outweigh any loss.

The loss of open space complies with LDP Policy Env 18.

#### b) Conservation Area

The site lies adjacent to the Victoria Park Conservation Area but is not within the area itself.

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

LDP Policy Env 6 (Conservation Areas - Development) states that development affecting the setting of a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area.

The substation will be a small unit within the wider scheme for the replacement of facilities at Bangholm. Its height will be lower than the main buildings proposed on site and, subject to condition, will utilise materials consistent with other buildings on site.

The substation and enclosure's location to the north east of the site, and context within other modern buildings, structures and the parking area, mean that it will not be apparent in views to or from the conservation area.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve or enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

#### c) Design and location

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) seeks to retain existing characteristics and features on sites.

LDP Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape.

The proposed substation and enclosure would be located to the east of the site opposite the main entrance to the sport facility. It would adjoin a trailer storage area and be 4 metres from the boundary of the flatted block to the north east of the site on Craighall Gardens.

As a substation, suitable vehicle access is required to ensure it can be maintained and in case of any emergency works. The need for vehicle access limits the potential locations within the site. The applicant has submitted supporting information detailing other locations which have been considered for the substation. These locations have been discounted by the applicant for reasons including impact on the nearby conservation area, loss of open space, lack of vehicle access and reduction in space for minibuses and disabled visitors.

The proposed location of the substation in combination with its small scale means that it will be a relatively discreet within the context of the wider approved Bangholm development. The structure will be surrounded by a 2.5 metre vertical timber screen coated black. As noted in (b), the materials will be conditioned to ensure coherence with the wider site.

The proposal complies with policies Des 1, Des 3 and Des 4.

#### d) Neighbouring amenity

LDP Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) does not permit development which would have a materially detrimental effect on the living conditions of nearby residents.

The nearest residential properties to the development lie to the east of the site on Craighall Gardens and Grandfield to the north east. The site would be 4 metres from the boundary of the grounds of the modern flatted block on Craighall Gardens and 6 metres from the residents' balconies within the block.

Visually, the structure enclosed by a 2.5 metre high and 5 metre wide fence would not significantly alter the overall appearance of the site from the residents' balconies. These already overlook the wider Bangholm site including various compounds and storage containers, as existed prior to the site's recently approved development. The utilitarian structure would not be out of place in this context.

At 2.5m in height and 6m away from the flatted block, the compound and substation will not cause an unacceptable loss of daylight or directly overshadow residents' windows or amenity space.

The applicant's statement describes the substation as a modern type omitting no noticeable noise. Environmental Protection was consulted on the proposal and has no objections to the proposal in relation to noise and impacts on human health.

The proposal complies with policies Des 5 and Hou 7.

e) Parking and access arrangements

LDP Policies Tra 2 and Tra 4 sets out the requirements for private car parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance

The proposed substation will supersede two parking spaces proposed in the consented scheme. The Roads Authority has no objection to the loss of these spaces as there is not requirement to provide general use parking on the site.

The facility by its nature requires uninterrupted vehicular access. This access will be taken from the existing vehicle access from Craighall Gardens and the proposed vehicle access is within the approved site plan.

The access and parking arrangements are acceptable.

f) Public Comments

**Material Comments:**

- Impact on character of conservation area - addressed in 3.3 b);
- Impact on amenity - addressed in 3.3 d);
- Loss of parking - addressed in 3.3 e);
- Location of proposal - addressed in 3.3 c);
- Design - addressed in 3.3 c).

**Non-Material Comments:**

- Lack of foresight that substation would be required;
- Health risk from living near substation;
- Will attract birds.

**Conclusion**

The proposed substation and its enclosure are small in scale and will be a discreet element within the wider approved Bangholm scheme. The design and location of the substation will not impact on the character and appearance of the nearby conservation area. As a modern substation, there will be no impact on residential amenity in relation to noise.

The proposal complies with the Local Development Plan. There are no material planning considerations which outweigh this conclusion.

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

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

#### **Conditions :-**

1. Sample/s of the proposed fence/cladding shall be submitted to and approved in writing by the Planning Authority before work commences on site.

#### **Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

### **Financial impact**

---

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

There are no financial implications to the Council.

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

---

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

### **Equalities impact**

---

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

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

## **Sustainability impact**

---

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

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

## **Consultation and engagement**

---

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

Pre-application discussions took place on this application.

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

A total of 31 objections were received.

The representations are summarised and addressed in the assessment section of this report.

## **Background reading/external references**

---

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



**Statutory Development  
Plan Provision**

Local Development Plan - conservation area.

**Date registered**

19 July 2021

**Drawing numbers/Scheme**

01-04,

Scheme 1

**David Givan**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer

E-mail:lynne.mcmenemy@edinburgh.gov.uk

**Links - Policies**

---

**Relevant Policies:**

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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

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

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

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

# Appendix 1

## Application for Planning Permission 21/03881/FUL At Bangholm Outdoor Centre, Craighall Gardens, Edinburgh Erection of electrical substation for proposed sports and outdoor centre.

### Consultations

---

#### Environmental Protection

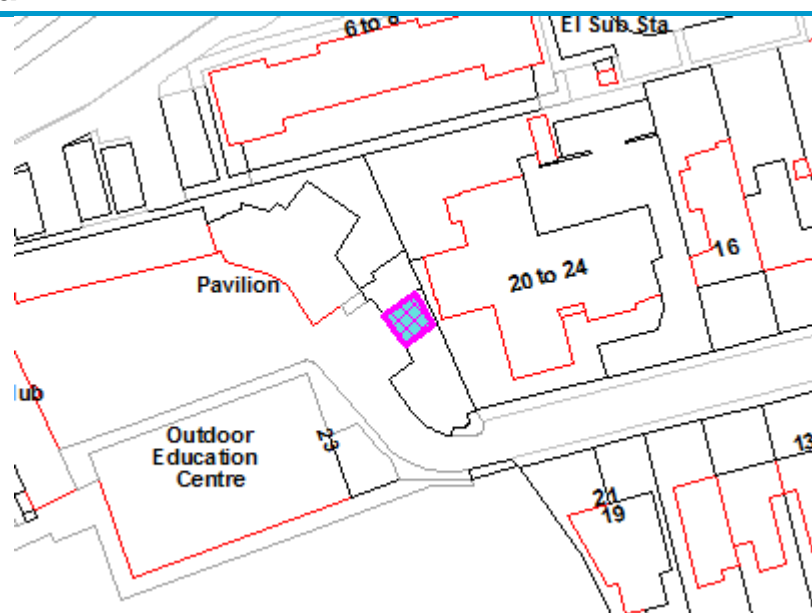
*I refer to the above and would advise that Environmental Protection has no objections to the proposed development.*

*Substations can produce a low humming noise which could impact upon residential amenity and in this case the proposed substation is around 5 metres from the nearest flats on Craighall Gardens. The applicant has advised within the supporting information that the proposed substation emits no noise and has been designed so that they can be sited adjacent to residential properties without causing noise impacts. It has also been confirmed that there are already several existing examples where such substations are already sited and operational adjacent to residential properties within the city.*

*Therefore Environmental Protection offers no objections to the proposal.*

### Location Plan

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

**END**