

# Development Management Sub Committee

Wednesday 8 December 2021

**Application for Planning Permission 21/00246/FUL  
At 50 Pilrig Street, Edinburgh, EH6 5AL  
Demolition of house and redevelopment to form apartment  
building with associated garden ground and bin/cycle  
storage (as amended).**

**Item number**

**Report number**

**Wards**

B12 - Leith Walk

## Summary

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The proposal complies with the Local Development Plan. Housing is acceptable in this location and the development is of an appropriate scale, form and design, complying with LDP policies Des 1, Des 4 and Hou 4. It will not have an adverse impact on the setting of the neighbouring listed buildings and will preserve the character and appearance of the conservation area. The proposal will not have an unreasonable impact on neighbouring amenity and will provide a satisfactory living environment for future occupiers. It complies with policies Des 5, Hou 4 and Hou 3. There are no transport or flooding issues and the proposed development will contribute to sustainability and biodiversity. The proposal complies with the 13 policy principles of sustainable development set out in Scottish Planning Policy (SPP) and there are no other material considerations which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

SPP, LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LEN03, LDES01, LDES04, LDES05, LDES06, LEN06, LEN08, LEN09, LEN21, LTRA02, LTRA03, LTRA04, LDEL01, LTRA08, LEN22, NSG, NSLBCA, NSGD02, OTH, CRPPIL, HES, HESCON,

# Report

## **Application for Planning Permission 21/00246/FUL At 50 Pilrig Street, Edinburgh, EH6 5AL Demolition of house and redevelopment to form apartment building with associated garden ground and bin/cycle storage (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site contains a detached two storey house on the corner of Pilrig Street and Dryden Street. There is garden ground to the front, side and rear. The house has a rear single storey extension and there is a single vehicle detached garage taking access from Dryden Street. Boundary treatment consists of a low rendered wall with railings on top to the front and part of the side garden fronting Dryden Street where it then steps up, unpainted, to the same height as the garage. A mature tree is positioned at the bottom of the rear garden.

The surrounding area is predominantly residential with a mix of architectural styles including, Georgian, Victorian, post war and modern. Most of these buildings are three or four storeys high. Pilrig Park is to the north west of the application site and Leith Walk is to the south east.

The street consists predominantly of two and a half storey stone Victorian and Georgian terraced townhouses. A modern four storey local authority constructed flatted block is opposite the application site on Pilrig Street. Opposite on Dryden Street is a three storey red sandstone residential building. Further along Pilrig Street is Pilrig Park. Dryden Street contains mainly three and four storey blocks of modern flats and traditional tenements.

The neighbouring adjacent building, numbers 46 and 48 Pilrig Street, is a category B listed building (ref: LB29496 date of listing 25 November 1965). The traditional stone terraced houses on the opposite side of Pilrig Street from the application site are also listed as are houses further along the same side of Pilrig Street as the application property.

The wider surrounding area is predominantly residential with shops and other facilities on nearby Leith Walk which is a busy thoroughfare with public transport routes and services. Pilrig Street has a frequent bus service with a route between Hyvots Bank and Ocean Terminal which travels through the city centre.

This application site is located within the Pilrig Conservation Area.

## 2.2 Site History

1 October 2018 - application refused for erection of five storey building to form 8 residential apartments with associated parking and amenity space (application number 09/03284/FUL). This application was originally granted by the Development Management Sub-Committee in 2011 but was subsequently refused when the legal agreement was not concluded; and

19 January 2021 - application received for complete demolition in a Conservation Area - demolition of house and redevelopment to form apartment building with associated garden ground and bin and cycle storage (application number 21/00248/CON).

## Main report

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### 3.1 Description Of The Proposal

The proposal is to demolish the existing house and build a six storey, including lower ground floor and penthouse levels, flatted development. Nine flats are proposed: one 1 bedroom flat, seven 2 bedroom flats and one 4 bedroom flat. The sizes of each flat will be:

Flat 1 - 2 bedrooms - 76 square metre (sqm)  
Flat 2 - 2 bedrooms - 60 sqm  
Flat 3 - 2 bedroom - 80 sqm  
Flat 4 - 1 bedroom - 47 sqm  
Flat 5 - 2 bedroom - 76 sqm  
Flat 6 - 2 bedroom - 76 sqm  
Flat 7 - 2 bedroom - 76 sqm  
Flat 8 - 2 bedroom - 60 sqm  
Flat 9 - 4 bedroom - 197 sqm

The proposed development will abut and have the same depth as the existing Georgian townhouse next door and will extend further out to the rear on the Dryden Street side.

Materials will be stone, slate, zinc, timber, metal, glass balustrade and metal framed windows, doors and rooflights,

Garden ground will be provided to the front and rear. A bin store is proposed where the existing garage is located and behind it there will be a bicycle store, at the bottom of the garden. A new pedestrian gate is proposed in the wall on Dryden Street. Zero car parking is proposed.

### Supporting Information

- Design Statement
- Supporting Planning Statement
- Car Parking Review

These are available to view on the Planning and Building Standards Online Services.

### 3.2 Determining Issues

Due to its proximity to listed buildings and being within a conservation area, the proposed development requires to be assessed against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"). This report will first consider:

a) In terms of Section 59 there is a strong presumption against granting planning permission for development which would harm a listed building or its setting. If engaged, the presumption can only be rebutted if the advantages of the scheme in the proposed location are sufficient to outweigh that strong presumption.

b) In terms of Section 64 there is a strong presumption against granting planning permission for development which would conflict with the objective of preserving or enhancing the character or appearance of the conservation area. If engaged, the presumption can only be rebutted if the advantages of the scheme in the proposed location are sufficient to outweigh that strong presumption.

If the Development complies with Sections 59 and 64 of the 1997 Heritage Act, this report will then consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act).

If the proposal is in accordance with the development plan the determination should be to grant planning permission unless material considerations indicate otherwise?

If the proposal is not in accordance with the development plan the determination should be refuse planning permission unless material considerations indicate otherwise?

In the assessment of material considerations this report will consider:

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

### 3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) The proposal preserves the setting of the listed buildings;
- b) The proposal preserves or enhances the character and appearance of the conservation area;
- c) The principle of development is acceptable in this location;
- d) The proposal is of an appropriate scale, form and design;
- e) There will be an unreasonable loss to existing neighbouring amenity;
- f) The proposal will provide a satisfactory residential living environment;
- g) There are any roads authority, parking or transport issues;
- h) There are any other material planning considerations;
- i) There are any equalities or human rights issues; and
- j) The public comments have been addressed.

a) Setting of the listed building(s)

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."*

Policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It states that factors to be considered in assessing the impact of a change on the setting of a historic asset or place include the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this and the ability of the setting to absorb new development without eroding its key characteristics and the effect of the proposed change on qualities of the existing setting.

There are a number of listed buildings adjacent to the development. The listed buildings are all outwith the application site and therefore the primary consideration in the assessment of these proposals is the impact on the setting of these listed buildings.

The proposed building will align with the front and rear building line of the adjacent listed building. At the front it will be of the same ridge and eaves heights and the proposed dormers, albeit modern design, reflect the roof with dormers of the listed building. Revised drawings have aligned proposed string courses on the front elevation with those of the listed building and propose a window style and pattern which although modern will sit comfortably next to that of the listed building. On the rear, although the ridge height is the same as the neighbouring building and the proposed dormer will sit within the roof plane, much of the top most storey will be above the eaves height of the neighbouring listed building. However, this part of the proposal is of a modern design and will read as a large dormer set hard up against the proposed chimney stack. It will not immediately be adjacent to nor attached to the neighbouring listed building. In this context, the proposed design of the rear elevation will contrast well with the listed building and will not detract from the special architectural and historic interest of the listed building.

The applicant has demonstrated through the use of historical information that the application site was intended to be part of a terrace of three dwellinghouses with numbers 46 and 48 Pilrig Street. The proposal will complete the terrace, albeit in a modern style.

The existing building on the application site does not relate well to the setting of the neighbouring listed buildings. Although it respects the building line of the adjacent listed building, its scale and detached form is out of character and rhythm with the row of

listed buildings on both sides of this part of Pilrig Street which are higher and more uniform.

The proposal will not detract from the special architectural and historic interest of the adjacent and nearby listed building nor harm its setting and conforms with section 59 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. The proposal complies with policy LDP Policy Env 3 (Listed Buildings - Setting).

b) Conservation area

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted which 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 Pilrig Conservation Area Character Appraisal states that the essential characteristics of the conservation area include:

- predominance of residential use;
- most of the residential development is in the form of terraces;
- similarity of proportions and terraced forms provide a unity of character to the area;
- the variety of architectural styles that contribute to the overall character; and
- extensive use of a restricted palette of natural stone, slate and cast iron details.

The character appraisal acknowledges that whilst the area is mainly comprised of low rise residential development, there are a number of flatted properties of mainly three and four storeys.

The proposed building will create a terrace which is the prevailing form of residential buildings in the conservation area. It will be the same height as the adjacent listed building and similar height to the other nearby buildings. The storey height reflects that of other flatted blocks opposite the application site and in Dryden Street. The front and side elevations will use materials reflecting a more traditional look and this will be compatible with the streetscape, particularly along Pilrig Street. The modern design and materials proposed for the rear elevation will provide a contrast with the adjacent listed buildings. The rear elevation will be seen from Dryden Street which has several modern flatted blocks and, therefore, the proposal will sit well within this context.

On Dryden Street the proposed building will sit hard on the heel of the pavement which is not a characteristic of the streetscape. However, this will add to the architectural diversity of the street and conservation area and retain the prominence of the site in terms of it being highly visible in the conservation area.

Overall, the proposal will contribute to the predominant residential building form and the varied architectural style in the conservation area.

The retention of residential use on the site will continue to contribute to the character of the predominantly residential nature of this part of the conservation area.

The proposal will preserve the character and appearance of the conservation area and conforms to the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. The proposal complies with policy Env 6 (Conservation Areas - Development).

c) Principle of development

Policy Hou 1 Housing Development in the Edinburgh Local Development Plan (LDP) supports housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the Plan.

The proposal does not raise issues of a strategic nature and can, therefore, be assessed within the context of Edinburgh Local Development Plan (LDP).

The application site is in the urban area of the LDP and the street and surrounding area are residential in character.

The proposal complies with LDP policy Hou 1. The principle of housing in this location is acceptable.

d) Scale, form and design

Edinburgh Local Development Plan policy Des 1 (Design Quality and Context) states planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area.

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, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area; the need to create an attractive residential environment within the development; the accessibility of the site to public transport; and the need to encourage and support the provision of local facilities necessary to high quality urban living. It goes on to explain that in established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

The Edinburgh Design Guidance sets out key aims for new development to have a positive impact on the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings on site and materials and detailing. The Guidance also gives advice on the protection of public views.

The scale and height of the proposal is similar to neighbouring and surrounding buildings and, therefore, the building will not overwhelm neighbouring buildings. The proposed building will be positioned in the plot mainly in a similar way to the prevailing plot character along Pilrig Street. It will protrude to the rear on the return into Dryden Street and this reflects the situation in terms of the rear extension on the existing

dwellinghouse. Spacing between the proposed building and the existing building to the rear will slightly change. Many properties in Pilrig Street have extended into the rear garden including the application property. The proposal will also extend out into the rear garden and will not detract from the existing pattern of development in rear gardens nor from the relationship of buildings with rear garden ground.

A proposal for a five storey building to form eight residential apartments was approved subject to the conclusion of a legal agreement by the Committee on 9 March 2011 (application number 09/03284/FUL). The current proposal is of a similar scale and number of residential units. Although the 09/03284/FUL application was refused in September 2018 because the legal agreement was not signed, the decision by the Committee indicates that a block of flats could be accommodated on the site and was considered acceptable.

There are two protected public views listed in the Edinburgh Design Guidance in terms of the application site. These are N5a Pilrig Park and Pilrig Street - Arthur's Street and N5b Pilrig Park - Calton Hill. The proposed building will sit within an area and street of similar building heights and will not interrupt public views.

For developments proposing zero car parking, it is generally expected that the space will be given over to landscaping. The rear garden ground will be laid to lawn including landscaped areas.

Whilst the glazed sections, terraces and modern large dormer on the rear elevation are not necessarily an established characteristic of the neighbourhood, they provide interest to the rear elevation which is highly visible from Dryden Street. They will add to the varied architectural styles and dates of the buildings in the surrounding area.

The proposal is within walking distance of shops, parks and other facilities in the area as well as public transport services. The increased density on the site and closeness to facilities on Leith Walk, such as shops, will provide residents with the ability to support local facilities. This will contribute to a sense of place.

Materials proposed are acceptable and, should planning permission be granted, a condition is recommended to ensure high quality materials. A condition is also recommended for a landscape plan to ensure the hard and soft landscaping are of a high quality.

The proposal is of an appropriate scale, form and design.

The proposal complies with LDP policies Des 1, Des 4 and Hou 4.

e) Neighbouring amenity

Local Development Plan (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 Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.



Edinburgh Design Guidance advises that achieving reasonable amenity needs to be balanced against achieving good townscape.

The daylighting assessment shows that the impact on existing windows opposite on Pilrig Street complies with the Edinburgh Design Guidance. Three windows at 52-56 Pilrig Street on the other side of Dryden Street will experience some loss of daylighting caused by the proposed development. These windows relate to bedrooms/living rooms at ground, first and second floor level on the south elevation of that building. The ground floor window is already obscured by a high stone wall and any daylight loss will not be significant. The first and second floor windows fail the 25 degree vertical sky component test but given the context of creating a corner block that complements the streetscapes of Pilrig street and Dryden Street, on balance the loss of daylighting is acceptable.

A small loss to sunlight to the rear garden of the neighbouring property opposite on Dryden Street will be experienced early-mid morning. However, this is within acceptable limits.

The windows on the front and side elevations will look onto the public street. The rear windows and terrace will be opposite a blank gable wall. It is possible that some new overlooking will occur from the terraces and dormer on the rear elevation. However, there is already some element of overlooking due to the heights of the buildings in relation to boundary wall heights and from the flatted properties in Dryden Street and Spey Terrace. In this context, the amount of new overlooking would not have an unreasonable impact on neighbouring properties.

Outlook from properties opposite the application site in Pilrig Street and Dryden Street will change due to the two storey detached house being replaced by 4 storey flatted building. Immediate outlook will not be compromised and the proposed development will result in a similar outlook to that existing in Pilrig and Dryden Streets where there are buildings on both sides of the street. Private views are not protected.

The proposal will not have an unreasonable impact on existing residential amenity.

The proposal complies with LDP policy Des 5.

f) Amenity of future residents/residential living environment

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP Policy Hou 4 (Housing Density) takes account of the need to create an attractive residential environment within the development.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

The Edinburgh Design Guidance states that private open space/gardens should be designed for a range of functions and sets out the sizes of residential units.

Of the nine flats, six exceed the minimum floor sizes advised as being acceptable in the Edinburgh Design Guidance. The other three flats fall slightly short of the minimum floor sizes but not sufficient to merit refusal.

Adequate daylighting to the proposed residential units will be achieved.

A communal garden area will mainly be laid out to lawn with some areas of landscaping. It will give access to the cycle parking and refuse bins. A total garden area of 187.74 square metres is proposed which exceeds the minimum open space requirement of 10 square metres per flat. Useable space will be provided in two areas of lawn in the garden (46.23 sqm) and this exceeds the 20% required by LDP policy Hou 3. The level access path/ramp from the street level to the entrance of the building splits the lawn area but is required to provide level access to the building otherwise one larger area of useable space could have been possible. Pilrig Park is within walking distance of the application site.

Environmental Protection has advised that it has no objections to the development and has recommended that a condition relating to noise from the proposed lift be attached to the planning permission, should permission be granted. Such a condition is not necessary to make the development acceptable and an informative has therefore been added requiring the lift to comply with NR 20.

Future occupiers will have an acceptable level of amenity.

The proposal complies with LDP policies Des 5 and Hou 4.

g) Roads Authority, parking or transport issues

Policy Del 1 (Developer Contributions) requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

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

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

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

Policy Tra 4 (Design of Off Street Car and Cycle Parking) sets out that design considerations which will be taken into account. This includes location of parking, structured planting, safety and community recycling space.

No vehicle parking is proposed and 18 cycle parking spaces will be provided in a secure and covered store.

The Roads Authority has advised that it has no objection to the application subject to a condition or informative relating to a developer contribution for the tram and that the cycle parking provision complies with guidelines. It has also advised that the 2020 parking standards allows for zero parking and it is considered that given the central location with nearby amenities and good public transport connectivity (including extended tram line) it has no objections. There are also car club facilities in the general area.

The proposed parking is acceptable and complies with current parking standards contained in the Edinburgh Design Guidance.

The proposal complies with LDP policies Tra 2 - Tra 4 and, with the use of a legal agreement, Del 1.

h) Other material planning considerations

*Developer Contributions*

LDP Policy Del 1 (Developer Contributions) requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

A sum of £25,000 is required for tram contribution (based on 9 residential units in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of Payment.

The site falls within Brunton Healthcare Zone and a contribution of £945 per dwelling is required i.e. a total of £8,505 for the healthcare contribution. There is no education contribution required.

A suitable legal agreement is required to secure the developer contribution.

*Archaeology*

LDP Policy 8 (Protection of Important Remains) states that development will not be permitted which would damage or destroy non-designated archaeological remains which the council considers should be preserved in situ.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) states that planning permission of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and if required a field evaluation.

The City Archaeologist has advised that unlikely that significant in situ buried remains will be impacted upon. Therefore, there are no archaeology impacts.

The proposal complies with LDP policies Env 8 and Env 9.

### *Trees*

LDP Policy Env 12 (Trees) states that development should not damage trees protected by a Tree Preservation Order or any other tree worthy of retention.

There is a single mature tree in the rear garden of the application site and this will be kept as part of the proposals. The bicycle store will not require the crown to be severely trimmed back and the shallowness of the foundations of the store will not interfere with the roots. Conditions are recommended to ensure that it is not removed and that it is protected during construction.

The proposal with the use of conditions, will not damage the tree.

### *Biodiversity*

Env 16 (Species Protection) states that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless: a) there is an overriding public need for the development and it is demonstrated that there is no alternative b) a full survey has been carried out of the current status of the species and its use of the site c) there would be no detriment to the maintenance of the species at favourable conservation status d) suitable mitigation is proposed

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

The bat survey submitted has demonstrated that bats are not a constraint to development. To enhance biodiversity it is recommended that an informative is attached to any forthcoming planning permission to encourage the developer to include biodiversity enhancements in the scheme, such as swift bricks.

The proposal complies with LDP policy Env 16 and LDP Des 3, with the use of an informative.

### *Flood Planning*

Policy Env 21 (Flood protection) states that planning permission will not be granted for development that would: a) increase a flood risk or be at flooding itself; b) impeded the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management; c) be prejudicial to existing or planned flood defence systems.

Flood Planning has advised, in terms flooding and drainage impact, that the application can proceed to determination. Therefore, there are no flood protection issues.

The proposal complies with LDP policy Env 21.

## *Sustainability*

Policy Des 6 (Sustainable Buildings) states that planning permission will only be granted for new development where it has been demonstrated that criteria a) and b) can be met with regards to; a) carbon dioxide emissions reduction through the use of low and zero carbon generating technologies and b) other features are incorporated that will reduce or minimise environmental resource use and impact. The supporting text clarifies that Scottish Building Standards set carbon dioxide emissions reduction targets. To meet this criterion proposals for new development must accord with the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards) and also demonstrate that at least half of this reduction will be met through low and zero carbon technologies. This aspect will therefore be assessed during the building warrant process.

The building will be required to be constructed to meet the building regulations and, therefore, will be a sustainable building. Whilst this policy does not include future ability for buildings to be adapted and repurposed, there are examples in the city where existing buildings have been reused. Such changes of use would require planning permission.

The proposal complies with LDP policy Des 6.

Policy Env 22 (Pollution and Air, Water and Soil Quality) states that planning permission will only be granted for development where a) there will be no significant adverse effects for health, the environment and amenity and either b) there will be no significant adverse impact on air and soil quality, the quality of the water environment or on ground stability; or c) appropriate mitigation to minimise any adverse effects can be provided.

Parking will not be provided for vehicles and this will encourage future residents not to use a car and the provision of cycle parking and the nearby public transport routes will encourage the use of healthier and less polluting travel modes. A communal garden will be provided for amenity and the associated landscaping will enable wildlife and biodiversity to become established on the site which will assist soil quality. Although earthworks will be required to form the proposed basement, any impact on soil quality will be offset by the improved soil quality and underground water from biodiversity. It is not expected that the construction works will cause ground stability issues and the applicant or developer would be responsible should this arise. These measures will minimise pollution, air, water and soil quality impacts from the development.

The proposal complies with LDP policy Env 22.

## *Waste*

The bin store will be provided in the location of the existing single garage at the end of the rear garden and next to Dryden Street. Any domestic collection of waste would need to be agreed in advance with Waste and Cleaning Services before developing the site.

## *Scottish Planning Policy (SPP) - significant material consideration*

The SPP introduces a presumption in favour of development that contributes to sustainable development and sets out 13 principles to guide policy and decisions:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

The development will be on land which has previously been developed and will provide a higher number of residential units. It will make efficient use of infrastructure such as the nearby town centre and public transport routes. The proposal is a sustainable land use. The proposal will make good use of the land and will create a sense of place including amenity space. The application site is near a public park and within walking distance of public transport services, including a tram, which can provide access to other parks with sport facilities. The proposal will have zero car parking and will provide covered and secure cycle parking which will contribute to climate mitigation.

The proposed development therefore complies with the 13 SPP principles.

### i) Equalities and human rights

The application has been assessed and has no impact in terms of equalities or human rights. The development will have level access and will provide a communal rear garden which can contribute to health and well being.

j) Public comments

**Material comments - objections**

- impact on listed building. Addressed in 3.3b).
- impact on conservation area. Addressed in 3.3c).
- fails to preserve the historic environment. Addressed in 3.3b) and 3.3c).
- too dense. Addressed in 3.3d).
- poor design, mass and layout. Addressed in 3.3d).
- overdevelopment. Addressed in 3.3d).
- too high, too big and too deep. Addressed in 3.3d)
- needs to fit and enhance terrace. Addressed in 3.3b), 3.3c) and 3.3d).
- sense of place lessened and loss of landmark building. Addressed in 3.3d).
- loss of sense of space and openness. Addressed in 3.3d).
- inappropriate materials. Addressed in 3.3d).
- overlooking and privacy impacts. Addressed in 3.3e).
- loss of views. Addressed in 3.3e).
- loss of daylight and sunlight; overshadowing. Addressed in 3.3e).
- size of units. Addressed in 3.3f).
- amount of and useable green space. Address in 3.3f).
- encourage wildlife and biodiversity. Addressed in 3.3h).
- insufficient parking and traffic congestion. Addressed in 3.3g)
- impact on flooding. Addressed in 3.3h)
- impact on local public health facilities. Addressed in 3.3h)
- impact on pollution, air, water and soil quality. Addressed in 3.3h).
- unsustainable, not sustainable building and not carbon neutral. Addressed in 3.3h).
- adapted or developed for future need. Addressed in 3.3h).
- refuse bins provision. Addressed in 3.3h)
- neighbour notification not received. Neighbour notification was carried out in line with the planning legislation and regulations.

**Material comments - support**

- sympathetic and good design.
- appropriate materials and use of materials.
- sites well amongst mix of different types of architecture.
- respects neighbouring listed properties.
- balance between traditional and modern.
- enhance surroundings.
- much needed housing.

## **Non material comments**

- public consultation. This type of application does not require public consultation.
- accuracy of information in background papers. These provide supplementary information. Only the drawings will be approved, should planning permission be granted.
- construction works - disruption. This is not a material planning consideration.
- unnecessary development. The planning authority can only consider the application submitted.
- existing refuse and communal waste bins and usage. Provision of refuse bins and collection/emptying is responsibility of Waste and Cleansing. This is not a planning matter.
- vermin at refuse bins. This is a matter for Environmental Protection and is not a planning matter.
- crossing points and residents parking permits. This is the responsibility of the Roads Authority.
- boundary wall structurally dangerous and at risk of collapse. This is the responsibility of the owner.
- ownership of flats. This is not a material planning consideration.
- will not provide affordable accommodation. The development does not meet the threshold requiring affordable housing to be provided.
- making a profit from the development. This is not a material planning consideration.
- Edinburgh City Council could propose something that would benefit the community. The development is not a proposal by the Council. The Council as planning authority is required to consider and determine the application in front of it as required by the planning legislation.

## **Community Council Comments**

The community council requested consultee status and a full copy of its objection is included in the Consultations in Appendix 1. The themes of the objection are included in the objections section above.

## **CONCLUSION**

The proposal complies with the Local Development Plan. Housing is acceptable in this location and the development is of an appropriate scale, form and design, complying with LDP policies Des 1, Des 4 and Hou 4. It will not have an adverse impact on the setting of the neighbouring listed buildings and will preserve the character and appearance of the conservation area. The proposal will not have an unreasonable impact on neighbouring amenity and will provide a satisfactory living environment for future occupiers. It complies with policies Des 5, Hou 4 and Hou 3. There are no transport or flooding issues and the proposed development will contribute to sustainability and biodiversity. The proposal complies with the 13 policy principles of sustainable development set out in Scottish Planning Policy (SPP) and there are no other material 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. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

#### **Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to safeguard protected trees.

#### **Informatives:-**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure and healthcare.  
  
£25,000 contribution towards Edinburgh Tram Line. The sum to be indexed as appropriate and the use period to be 10 years from date of payment; and  
£ 8,505 contribution towards Brunton Healthcare Contribution Zone.
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.
4. The design, installation and operation of the lift shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
5. The applicant should implement biodiversity measures and encourage wildlife, such as swift bricks.
6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

## **Financial impact**

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

The application is subject to a legal agreement for developer contributions.

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

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

## **Equalities impact**

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### **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**

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

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 29 January 2021 and 73 comments were received, including from Leith Central Community Council. Of these 59 were objections, 13 were in support and one was a general comment.

## **Background reading/external references**

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- 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 January 2021

**Drawing numbers/Scheme**

01-04, 05A, 06A, 08, 09.,

Scheme 2

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

Contact: Jackie McInnes, Planning officer  
E-mail:jackie.mcinnnes@edinburgh.gov.uk

## **Links - Policies**

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### **Relevant Policies:**

Scottish Planning Policy (SPP) - The SPP sets out Scottish Government policy on nationally important land use matters and includes subject specific policies on: economic development, town centres and retailing, housing, rural development, coastal planning, fish farming, historic environment, landscape and natural heritage, open space and physical activity, green belts, transport, renewable energy, flooding and drainage, waste management, minerals, on-shore oil and gas, surface coal mining and communications infrastructure.

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

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

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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 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.

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

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

## **Relevant Non-Statutory Guidelines**

**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.

## **Other Relevant policy guidance**

The Pilrig Conservation Area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing.

## **Relevant Government Guidance on Historic Environment.**

Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities.

# Appendix 1

## **Application for Planning Permission 21/00246/FUL At 50 Pilrig Street, Edinburgh, EH6 5AL Demolition of house and redevelopment to form apartment building with associated garden ground and bin/cycle storage (as amended).**

### **Consultations**

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#### **Archaeologist**

*Further to your consultation request I would like to make the following comments and recommendations concerning these linked applications for the demolition of house and redevelopment to form apartment building with associated garden ground and bin/cycle storage*

*The current house occupying the site dates to immediately after the Second World War. Given this date and nature of the building it has been concluded that its loss would not have a significant archaeological impact.*

*Similarly, given the scale of development on this site and its location, it has been concluded that it is unlikely that significant insitu buried remains will be impacted upon by either application.*

*Please contact me if you require any further information.*

#### **Environmental Protection**

*This application concerns the demolition of a detached house and the proposed construction of a block of apartments which will adjoin the adjacent building at 48 Pilrig Street. A passenger lift will serve all floors of the proposed building except the upper floor of the penthouse apartment. The lift is located centrally within the proposed apartment block and is not adjacent to the habitable rooms of the apartments on the basement to third floors.*

*Environmental Protection had recommended that a condition should be attached in relation to the lift for the previous proposal at this site. Therefore, Environmental Protection has no objections to this proposal subject to the following condition:*

*The design, installation and operation of the lift shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.*

#### **Roads Authority**

##### *Summary Response*

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

*The applicant will be required to:*

*Contribute the sum of £25,000 (based on 9 residential units in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.*

*Full Response*

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

*The applicant will be required to:*

*Contribute the sum of £25,000 (based on 9 residential units in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.*

*Note:*

*The application has been assessed under the 2020 parking standards. This states a range of zero (minimum) to nine (maximum) car parking spaces. The applicant is proposing zero car parking. A parking survey has been submitted and reports that the surrounding streets are heavily parked.*

*Transport has considered the zero-parking proposal and given the central location with nearby amenities and good public transport connectivity (including extended tram line) have no objections to this. There are also car club facilities in the general area.*

*Secure and undercover cycle parking is being provided for 11 cycles which complies with the guidelines.*

### **Flood Planning** - first response 30 April 2021

*Unfortunately, there is no flooding or drainage information on the portal for me to review.*

- To support this application, we would request a Surface Water Management Plan (SWMP) to confirm how surface water runoff from the site will be managed. This should be prepared in line with the self-certification scheme - details of which can be found at the link in my signature. A separate Flood Risk Assessment will not be required, but the SWMP should address the potential surface water flood risk to the site - identified in the online indicative SEPA flood maps.*

### **Flood Planning** - second response 6 May 2021

*Thank you for sending through the information. I have the following comments to be addressed by the applicant:*

- Please provide a signed copy of the declaration certificate A1 to cover the Surface Water Management Plan. This is provided on page 13 of the link below.*
  - <https://www.edinburgh.gov.uk/downloads/file/22711/flood-risk-and-surface-water-management-plan-requirements> (Page 13)*



2. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors.

3. The calculations use a 30% uplift to account for climate change. Please confirm that the drainage proposals can accommodate the 1:200-year storm event including a 40% climate change uplift. This is in line with our latest guidance, found at the link in my signature below.

4. Please confirm that Scottish Water accept the proposed surface water discharge rate to the combined system.

### **Flood Planning** - third response 7 July 2021

*Thank you for sending through the additional information.*

*Prior to determination, we would request a self-certification declaration certificate A1 covering the Surface Water Management Plan. This is provided on page 13 of the link below.*

*<https://www.edinburgh.gov.uk/downloads/file/22711/flood-risk-and-surface-water-management-plan-requirements>*

*We support the inclusion of a surface water soakaway. However, soakaway testing would be required to confirm whether the proposals are feasible and that the 1:200-year storm event (including a 40% climate change uplift) can be accommodated on site. We would also request confirmation that Scottish Water accept the proposed surface water overflow from the soakaway to the combined network. If required, we would accept a condition on the soakaway testing and Scottish Water's approval.*

### **Flood Planning** - final response 8 November 2021

*Thank you for providing the updated information. This application can proceed to determination, with no further comments from CEC Flood Prevention.*

### *Waste and Cleansing*

*As this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.*

*Waste strategy agreed at this stage Y/N N*

*We would require further input to the points raised below in conjunction with our current instruction for architects and developers guidance, available at <https://www.edinburgh.gov.uk/wasteplanning> , to ensure waste and recycling requirements have been fully considered.*

1. Confirmation on the waste strategy, are these all individual collections or communal (not enough bins on the plan), is there a presentation point, do we access the bin store.
2. Number of properties.
3. If this is a bin store we access, confirmation that all the points raised in our guidance have been adhered to.

*In view of these factors I would ask that the Architect/developer contact waste@edinburgh.gov.uk at the earliest point to agree their options so that all aspects of the waste & recycling service are considered.*

## **Leith Community Council**

*I write on behalf of Leith Central Community Council to object to the above application. Please ensure that the salient points below are referenced in your handling report or the Community Council section of the Committee report.*

*Leith Central Community Council objects to the application for a significant number of reasons set out below. We ask that the City of Edinburgh Council should refuse the application.*

### *1. Edinburgh Local Development Plan*

*The application is contrary to the Edinburgh Local Development Policy Del 1 Developer Contributions and Infrastructure Delivery*

- *The application does not mention nor provide evidence of a legal agreement to suitably mitigate the impact of the development on the City's transport infrastructure.*

*The application is contrary to the Edinburgh Local Development Policy Des 1 Design Quality and Context*

- *Whilst the scale and mass of the elevation on Pilrig Street may be deemed generally acceptable, the extended footprint (by approx. 6m) of the proposed building is out of scale at the rear which essentially consists of a zinc clad box with glass balustrades.*

- *The largest facade of the proposal (on Dryden Street) is treated like a gable with its most prominent windows being small scale bathroom windows. This is not appropriate and planning permission should 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.*

- *The main entrance of the proposal is stepped in order to imitate the neighbouring buildings and therefore becomes not accessible. The accessible entrance is at the rear of the building by the bin store via an approx. 20m long ramp which is poor design and prejudices people with limited mobility.*

- *The proposal does not demonstrate innovation in the interpretation of its immediate and wider historical context.*

*The application is contrary to the Edinburgh Local Development Policy Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features*

- *The proposed building boundary on Dryden Street does not respect the established stepped-back building line on both sides of Dryden Street. This cannot be justified under any circumstances.*

- *The proposal's footprint, by protruding at the rear and on Dryden Street, is contrary to the Pilrig Conservation Area Character Appraisal which states:*

*"The area is mainly comprised of low rise residential development. The predominant height is two storeys but there are a small number of flatted properties of mainly three and four storeys. The buildings are complemented by garden settings and stone boundary walls. The stone boundary walls give definition to the street layout and create a clear distinction between public and private spaces." (p17)*

*The application is contrary to the Edinburgh Local Development Policy Des 4 Development Design - Impact on Setting*

- *While the height of the proposal seems consistent with 48 Pilrig Street, its height is out of scale with regard to 52 Pilrig St as the street is sloping down from 48 to 52 Pilrig Street*

*The application is contrary to the Edinburgh Local Development Policy Des 5 Development Design - Amenity*

- *The proposal has not demonstrated that the amenity of neighbouring buildings would not be adversely affected and that future occupiers would have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook. The applicant has not provided a daylight and sunlight analysis.*

*The application is contrary to the Edinburgh Local Development Policy Des 6 Sustainable Buildings*

- *The proposal has not demonstrated that the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low and zero carbon generating technologies.*
- *The proposal has not demonstrated that features are incorporated that will reduce or minimise environmental resource use and impact like:*
  - *measures to promote water conservation*
  - *sustainable urban drainage measures that will ensure that there will be no increase in rate of surface water run-off in peak conditions or detrimental impact on the water environment. This should include green roofs on sites where measures on the ground are not practical.*
  - *use of materials from local and/or sustainable sources*
- *The application has not included SUDS arrangements details.*

*The application is contrary to the Edinburgh Local Development Policy 7 Layout Design*

- *The proposal has not demonstrated that safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs.*

*The application is contrary to the Edinburgh Local Development Policy Env 6 Conservation Areas - Development*

- *Coloured elevations, rendered perspective views or photomontages from both Pilrig Street and Dryden Street have not been provided to help assess the proposal.*
- *The proposal is not submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.*

*The application is contrary to the Edinburgh Local Development Policy Env 16 Species Protection*

- *The proposal has not demonstrated that it would not have an adverse impact on species protected under European or UK law like bats.*
- *Bats are observable at the back of Pilrig St and Dryden St. Bats are a protected species covered by Habitats Regulations. Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law.*
- *Biodiversity enhancement would not have been demonstrated while this should be a fundamental aspect of the design of the proposal (Scottish Planning Policy para 194 - "seek benefits for biodiversity from new development where possible").*

- *In the absence of a wildlife survey, the proposal would be ignoring the current ecological character of the site (inc. bats habitats).*

## *2. Edinburgh Design Guidance - 2017*

*The application is contrary to Edinburgh Design Guidance as per the reasons listed below:*

- *The proposal would rise above a 25deg line drawn from the windows at 52 Pilrig Street and affect the building's daylight adversely.*
- *A Tree survey has not been provided which is required in the form specified in BS 5837:2012 for all trees with a stem diameter of 75mm or more, at 1.5m above ground on the site or within 12m of its boundary.*
- *A Tree Constraints Plan showing physical and spatial requirements for retaining those trees has also not been provided. This would have included a Root Protection Area for each tree and an indication of the ultimate spread of canopy.*
- *A Tree Protection Plan including fence specification and provision of on site supervision, showing the Construction Exclusion Zone has not been provided.*
- *The application is not drawn at 1:50 or 1:100 scale as required in the EDG.*

## *3. Pilrig Conservation Area*

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

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

*The application is therefore contrary to the Pilrig Conservation Area Character Appraisal:*

- *The footprint and proportions of the building, especially on Dryden Street and at the rear, are at odds with the character and appearance of the conservation area and therefore adversely affect the adjacent listed building.*
- *The extended footprint (approx. 6m) of the proposed building is out of scale at the rear which consists of a zinc clad box with glass balustrades.*
- *The new aluminium windows do not line up with the adjacent building as the new building would be six storeys high while keeping in height with the adjacent building. This would affect the uniformity of proportions of Pilrig Street.*
- *The proposal is closer to the road than the existing building on the south side of Dryden Street.*
- *The rear aluminium windows, which are visible from Dryden Street, do not relate to the adjacent building with their proportions or alignment.*
- *The proposed Dryden Street elevation would be mostly featureless with large expanses of stone and zinc cladding.*

#### 4. Supporting Planning Statement

- 1.3

*"Investigations undertaken during the pre-application process confirmed that the adjoining building had been designed to be extended into the application site. This is evident on the gable of number 48 which has an additional set of chimney flues, ragged cope and recessed quoins which are ready to receive a building on the application site."*

- *The applicant has not provided such evidence. According to the owner at 48 Pilrig St, all 8 chimneys relate to his building.*

- 3.3

*The applicant refers to sustainable development in the Scottish Planning Policy. According to the SPP, the definition of sustainable development is a "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs"*

- *It is not clear how the current front stepped entrance from Pilrig Street and the accessible entrance at the rear of the proposal (by the bin store) demonstrate sustainable development and meet the needs of the present without compromising the ability of future generations to meet their own needs.*

- 3.11

*Despite previous discussions at pre-application stage, the overall bulk and articulation of the rear of the building as it turns the corner into Dryden Street is still of great concern for the street and the Pilrig Conservation Area.*

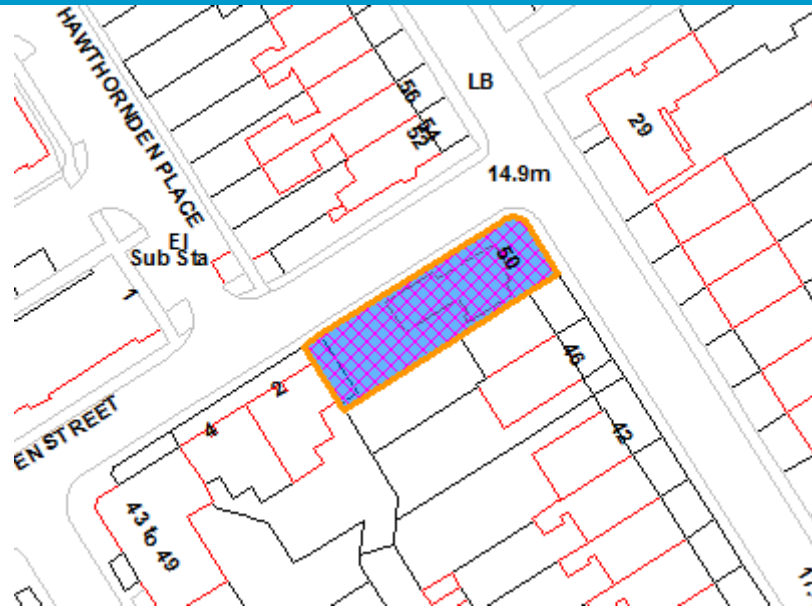
#### 5. General comments

- *The application appears to have been quite an unfriendly process with regard to the Pilrig community who have been kept out of the loop from the application and the design process, including the main interested neighbour at number 48 Pilrig Street. One would expect at least a sensible discussion to have taken place before a new build potentially abuts on an existing listed building. LCCC deplores this omission and does not regard this as a way to help build stronger communities which is a key objective of the Council who encourages well designed developments that relate sensitively to the existing quality and character of the local and wider environment to create a sense of place for all.*

*For all the reasons listed above, Leith Central Community Council objects to the application and the City of Edinburgh Council should refuse the application due to non-compliance with the Development Plan.*

## Location Plan

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**END**