

Wanton Walls Planning History Statement

January 2018



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1 Introduction

- 1.1 This Planning Statement has been prepared by PPCA Ltd in support of the proposed sale of Wanton Walls Farm Steading (the Site) by the Trustees of Sir CM Dalrymple. It sets out the land use planning history of the site from the submission of applications for development in 2001 to the City of Edinburgh Council to the present day. It, further confirms purification of planning and Listed Building conditions imposed upon the site and that a commencement of development has taken place and that, from that, a line planning permission exists upon the site.

2 Planning History since 2001

- 2.1 Two applications for planning and Listed Building consent were made to the City of Edinburgh Council in 2001 for the Site.
- 2.2 Detailed planning permission was sought for the “Erection of 11 houses, alterations to access road and demolition of no. 105 Newcraighall Road and outbuildings” at 103 Newcraighall Road Edinburgh EH21 8QU”. This was validated by the Council on 13th September 2001, reference 01/02628/FUL
- 2.3 Listed Building Consent, necessary because of the Category B Listed Farmhouse, was sought at the same time for “Demolition of farm outbuildings and part demolition of boundary wall” at 103 Newcraighall Road, Edinburgh EH21 8QU”. This was also validated by the Council on 13th September 2001, reference 01/02628/LBC.
- 2.4 Planning permission and Listed Building consent were both refused by the Council with the Decision Notice issued on 28th August 2002.
- 2.5 Both decisions were then appealed to the Scottish Government Directorate of Planning & Environmental Appeals (DPEA) and overturned on appeal by the DPEA by Decision Notice dated 25th November 2003 (See Appendix). The relevant planning appeal reference is PPA-230-491 and the Listed Building appeal reference is LBA-230-111. The Reporter for the appeals sought to impose conditions on both appeal decisions and these are dealt with in detail further on in this Statement.
- 2.6 A Non-Material Variation application was made to the Council in October 2007 (reference 01/02628/VARY) to vary the layout proposed. This was approved on 31st October 2007 (see Appendix). This consent applied the original conditions imposed upon the appeal decision of 2003 and has formed the basis for the purification of conditions in the intervening period.
- 2.7 A further detailed planning application lodged in 2007 for “Alteration to access, restoration and conversion of farmhouse to residential use, demolition of derelict outbuildings and erection of 10 new dwellings” was subsequently withdrawn following approval of the above non-material variation.

3 Planning and Listed Building Appeal Conditions

- 3.1 The Scottish Government Reporter, in his Decision Letter of 25th November 2003, applied conditions to the planning and Listed Building consents for Wanton Walls and these are set out below.

Planning Permission Conditions

- 1 The development hereby approved shall be commenced no later than 5 years from the date of this permission. *Reason: To limit the duration of the consent in accordance with the requirements of S58(1) of the Act.*
- 2 The proposed development shall not commence until a detailed scheme for the repair and renovation of the listed farmhouse has been submitted and approved in writing by the planning authority and any necessary further planning permission or Listed Building consents obtained. Once approved, the scheme shall be implemented and the farmhouse shall be ready for occupation prior to the occupation of other any part of the development hereby approved. *Reason: To ensure the timeous renovation and rehabilitation of the Listed Building.*
- 3 Before development commences on site, details specifications and colours of the timber fencing and external finishing materials for the proposed development, including the wet dash harl, traditional timber windows, cast iron rainwater goods to match that on the existing listed farmhouse, and stone sills, along with a sample of the proposed stone for the courtyard elevations, rooftiles and slates to be used, shall be submitted to and agreed in writing with the planning authority. Once approved, the scheme shall be fully implemented prior to the occupation of each dwelling house. *Reason: To ensure that the materials are in keeping with the existing listed farmhouse and enhance its character and setting.*
- 4 Before construction of any of the new dwelling houses commences on site, a small sample of the proposed masonry work, indicating courses, surfacing finish and pointing, shall be prepared for inspection on site and approved in writing by the planning authority. *Reason: To ensure the appearance of the proposed masonry work is compatible with its proposed location adjacent to a Listed Building.*
- 5 Prior to the commencement of work on site, (1) a site survey (including bore hole testing where necessary) shall be carried out to establish either that the level of contamination of any of the land within the site is acceptable, or that remedial and / or protective measures could be undertaken to bring the contamination to an acceptable level in relation to the proposed development; and (ii) the results of tat survey and a detailed schedule of any required remedial and / or protective measures, including there programming, shall be submitted to and agreed in writing with the planning authority. Once approved, the measures shall be implemented in accordance with the approved schedule prior to any new construction works on the site. *Reason: to ensure the suitability*

of the site for residential development in view of the previous industrial uses / processes on the site.

- 6 Before development commences on site, a scheme and programme of archaeological investigation shall be submitted to and agreed in writing with the planning authority. Once approved, the scheme shall be implemented in accordance with the approved programme. *Reason: in order to safeguard any archaeological heritage within the site.*
- 7 A detailed planting schedule for the proposed landscape scheme, including species, densities and numbers of plants, scheme of maintenance, and details of any existing planting to be retained and incorporated, shall be submitted to and agreed in writing with the planning authority. Once approved, the scheme shall be implemented in full within 6 months of the completion of the development and thereafter maintained in accordance with the approved scheme. *Reason: to ensure the implementation, establishment and maintenance of a comprehensive landscape scheme for the site and improvement of the site's appearance in the green belt.*
- 8 Before any part of the proposed development is occupied, the proposed new road works, including the formation of the new access, shall be implemented. *Reason: in the interests of pedestrian and road safety.*

Listed Building consent conditions

- 1 The works hereby permitted shall be commenced no later than 5 years from the date of this consent. *Reason: in order to accord with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.*
- 2 The Royal Commission on Ancient and Historic Monuments of Scotland shall be given notice of the proposal to execute the works and after such notice has been given shall be allowed access to the site, at any reasonable time in a period of at least 3 months from the date of this consent, for the purpose of recording the building, structure or other item of interest. *Reason: in order to accord with the requirements of Section 7 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.*
- 3 No demolition work shall take place until the contract for the proposed new development, including renovation of the listed farmhouse, has been let, and written evidence of this has been submitted to and confirmed by the planning authority: *Reasons: to ensure the timely replacement of those parts of the Listed Building that are to be removed and to safeguard the character and setting of the Listed Building.*
- 4 Before demolition works commence on site, a detailed scheme for such works, including measures to safeguard the listed farmhouse during these works, shall be submitted to and agreed in writing with the planning authority. Once approved, the scheme shall be fully implemented during the period of demolition. *Reason: to safeguard the structure and integrity of the listed farmhouse.*

- 5 The Stone from the demolished boundary wall shall be retained for reuse in the construction of the proposed new boundary wall. *Reason: to safeguard the character and setting of the Listed Building.*

4 Purification of Conditions

Planning Conditions

Condition 1	Confirmation by correspondence outlined below that development had commenced prior to 25 th November 2008.
Condition 2	Condition purified by correspondence dated 9 th November 2004
Condition 3	Letter correspondence enclosed between Ron Oliver of PPCA Ltd and the City of Edinburgh Council dated 2 nd and 19 th December 2007 confirming purification of Condition 3 (City of Edinburgh Council letter dated 14 th December 2007).
Condition 4	Condition purified by letter received from City of Edinburgh Council dated 14 th December 2007.
Condition 5	Preliminary Ground Contamination Investigation Report prepared by ARC Environmental and submitted to Gillespie MacAndrew LLP 4 th November 2016. No significant issue arising. This has not been submitted to City of Edinburgh Council – Condition remains to be purified.
Condition 6	Archaeology Survey submitted, and condition purified, by correspondence dated 26 th May 2006.
Condition 7	Letter correspondence enclosed between Ron Oliver of PPCA Ltd and the City of Edinburgh Council dated 2 nd and 19 th December 2007 confirming purification of Condition 7 (City of

	Edinburgh Council letter dated 14 th December 2007).
Condition 8	This is not a pre-commencement of development condition and would be purified prior to the occupation of any part of the proposed development.

Listed Building conditions

Condition 1	Confirmation by correspondence outlined below that development had commenced prior to 25 th November 2008.
Condition 2	Email correspondence dated 18 th January 2008 from Ron Oliver to City of Edinburgh Council confirming that the Royal Commission on Ancient and Historic Monuments of Scotland did not require access to the site and that a photographic record would be made of demolition. Accepted by City of Edinburgh Council by return email 18 th January 2008.
Condition 3	Due to ongoing safety issues, demolition of certain elements within the site were authorised in 2008. Condition purified at that time.
Condition 4	Condition purified by letter received from City of Edinburgh Council dated 26 th February 2008.
Condition 5	This is not a pre-commencement of development condition and would be purified prior to the occupation of any part of the proposed development.

Commencement of Development

- 5.1 Due to ongoing site safety concerns, it was necessary to commence development, in the form of buildings demolition of modern structures within the site, in advance of the purification of all of the planning and Listed Building consent conditions imposed above.
- 5.2 Correspondence between Ron Oliver of PPCA Ltd and the City of Edinburgh Council by email and letter in late January and early February 2008 and, again, in September 2008 confirmed that a site start had been made to the proposed development. Specifically, email correspondence from City of Edinburgh Council dated 29th January 2008 then followed up by letter dated 1st February 2008 confirms a material site start had been made within the required period and that the consent is active.
- 5.3 From that, the planning and Listed Building consents for the erection of 11 dwellings and demolition of buildings on the site are live.
- 5.4 Further demolition was necessary in 2016, again, to ensure site safety. Letter and email correspondence between Robin Matthew of PPCA Ltd and Paul Devaney of City of Edinburgh Council dated May and June 2016 confirmed that this further demolition would not be detrimental to the conditions imposed upon the consents for the site.

6 Conclusion

- 6.1 In conclusion, a material site start was made at Wanton Walls farm steading, and confirmed as having been made by City of Edinburgh Council as planning authority, in 2008. Both planning permission and Listed Building consent won on appeal in 2003 are, therefore, active.
- 6.2 All works carried out on the site have been made in the context of the variation to the original planning permission that was granted by City of Edinburgh Council on 31st October 2007.
- 6.3 The only remaining outstanding condition requiring purification is Condition 5 of the planning consent that requires the submission of a site survey for the purposes of identifying contamination levels and appropriate mitigation where required. This has, however, been prepared and has not identified any issues of significant concern within the site.