

**Full Planning Application  
at  
12 Spylaw Park  
Edinburgh  
EH13 0LP**

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**Development Quality Sub-Committee  
of the Planning Committee**

**Proposal:** Demolition of existing garage, construction of new garage, store and guest cottage  
**Applicant:** Mr Mitchell + Ms Johnston  
**Reference No:** 04/01354/FUL

**1 Purpose of report**

To recommend that the application be **GRANTED** subject to;

**Conditions**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The use of the proposed accommodation shall be ancillary to the use of the existing property at 12 Spylaw Park as a single family dwellinghouse, and for no other purpose.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
4. The rooflight/s shall be of an appropriately detailed 'conservation' type, which shall be approved in writing by the Head of Planning & Strategy before work commences on site.

5. The details of the proposed style of windows shall be submitted to and approved in writing by the Head of Planning and Strategy prior to the commencement of the development..

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the residential amenities of the area and in order to prevent the establishment of an unrelated and/or independent unit on the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure a satisfactory form of development.
5. In order to ensure a satisfactory form of development.

## **2 Main report**

### **Site description**

The property is situated on the southern side of Spylaw Park. It is a large detached dwelling screened on all sides by 2 metre high fencing and thick mature vegetation. The house was modified in 1996 and is finished with dry dash render. On the eastern boundary of the site lies a single storey garage.

### **Site history**

12/12/1996 - Ref 96/02252/FUL Planning permission was granted to alter and extend dwelling house at 12 Spylaw Park.

1/9/1976 - Ref 13-OLW - Planning permission was granted for the erection of the original dwelling house.

### **Development**

The proposal is for the increase in the width of the garage from 4.1 metres to 7.2 metres to incorporate a study/workshop. The height would increase to 6.7 metres with a bedroom proposed in the attic space. Three velux windows are proposed on the garage roof. The proposal includes an octagonal window detail at the front of the garage which is similar to the feature of the main house.

To the rear of the garage a single storey building is proposed at a length of 15 metres and a width of 4.7 metres. The height would be 4.5 metres to the ridge. On the eastern side of the building four velux windows are proposed. It is proposed that the building is used as a guest cottage.

The building would be finished with concrete terra-cotta coloured roof tiles and dry dash render walls to match in with the existing house.

## **Consultations**

### **Transport**

No objection.

### **Representations**

The application was advertised on 21 May 2004. 2 letters of objection were received in respect of the following;

- property is large enough - no need for further accommodation
- disruption throughout works
- impact on local amenity
- environmental pollution

Colinton Amenity Association raised comments in respect of the proximity of the proposed windows to the original house. They have suggested that a Section 75 Legal Agreement be imposed to tie the cottage to the original dwelling house.

## **Policy**

The proposal is subject to the Housing and Compatible Use policies of the South West Edinburgh Local Plan and the Draft West Edinburgh Local Plan.

Relevant Policies:

### **South West Edinburgh Local Policy**

Policy H4 imposes special controls over new housing development in the garden grounds of villas in Conservation Areas, of listed buildings, other garden grounds of landscape quality and areas of traditional and largely uniform suburban character, in order to protect character and amenity.

### **Draft West Edinburgh Local Plan**

Policy DQ11 Alterations and Extensions where acceptable in principle, should be subservient and relate clearly to the original building.

Policy DQ17 states that development or redevelopment proposals within a conservation area will only be permitted where the proposal is of a high design standard and would preserve or enhance the character or appearance of the area.

Policy H7 Housing Development Quality seeks to make best use of land without affecting the character of the area whilst make provision for amenities.

Policy H09 (Housing diversity) promotes a variety and balanced mix of house types and sizes, and seeks to avoid barriers to mobility.

Policy DQ6 states that new development should make a positive contribution to the quality, accessibility and safety of the environment, having regard to the character, opportunities and constraints of the site and it's surroundings and the basic character of the city

### **Non Statutory Guidelines**

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'HOUSING DEVELOPMENT IN GARDEN GROUNDS' supplement local plan housing, conservation and design policies, and provide additional guidance on this subject.

## **3 Conclusions and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there are 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?

### **ASSESSMENT**

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

- a) whether the proposed use is acceptable in this location;
- b) whether the proposals have an adverse impact on the character or appearance of the conservation area;
- c) whether the design is satisfactory given the setting of the site;

d) whether the proposals are detrimental to residential amenity or road safety.

a) The site lies within an area zoned for housing and compatible uses. The proposed residential use is acceptable in principle.

b) The character of the Colinton Conservation Area is described in the West Edinburgh Local Plan as follows:

*"The diverse nature of the Colinton makes it difficult to consider as a whole in terms of its character. The detailed analysis in the Character Appraisal divides the Conservation Area into 5 zones; Rural, Village, Villa, Suburban and Parkland."*

The site is identified in the character appraisal as lying within the Villa Zone;

*"Substantial Houses on generous feus, Dell woodland. mature garden and stone walls give this area a feeling of tranquillity and privacy. Views of the Pentland Hills, and Corstorphine Hill, the Firth of Forth and the Fife Hills, provide a feeling of spaciousness. Historic pathways and hedgerows reinforce the countryside character, which exists throughout most of the zone."*

From the street the proposed garage will sit comfortably gable to gable with the neighbouring garage of number 14 Spylaw Park. The ridge heights will be similar and the window detailing will reflect that of the main house. The proposed materials are acceptable and will be characteristic of this part of the Conservation Area. The extension is to the rear of the garage and would not impact upon the street scene. The eastern boundary is heavily screened by vegetation in excess of 5 metres high on the property to the eastern side of the site and in this regard will to be viewed from neighbouring properties.

c) The development is subservient in scale and would not dominate the original building. The eaves would be considerably lower than the main house. In this regard the proposal complies with the Council's non statutory guidelines in respect of Housing Development in Garden Grounds.

If the proposal was to be a separate dwelling plot, it would not reflect the spatial character of the area and the garden area provided would not be in scale with the surrounding properties. However, it is proposed by the applicant that the dwelling be used only for accommodating guests and not for a commercial activity. This should be controlled to ensure that the development is retained as ancillary to the original dwelling and is not separated from the site which may lead to an over intensive use.

The proposal picks up the horizontal emphasis of the windows on the existing dwelling and this is considered acceptable in principle. However the type of window does not reflect that on the main house and it is recommended that condition be imposed to agree the style of window and ensure that the rooflights are of Conservation style.

d) The guest building would fall within 9 metres of the existing dwelling and would be built onto the mutual boundary. It has been designed so that the proposed west side facing windows would not give rise to overlooking of the existing house. The building would be in a gable to gable position and would not give rise to unacceptable overshadowing. The eastern boundary is screened by vegetation in excess of 5 metres in height and in this regard the proposal would not give rise to overshadowing or overlooking to the neighbouring property.

The proposal retains the existing garage and access egress points. Ample room is retained within the site for the parking of vehicles associated with the original dwelling. The proposal will not impact upon highway safety.

It is recommended that the Committee approves this application, subject to the conditions stated.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

**Contact/tel** Jennifer Paton on 0131 529 3903 (FAX 529 3716)

**Ward affected** 43 -Colinton

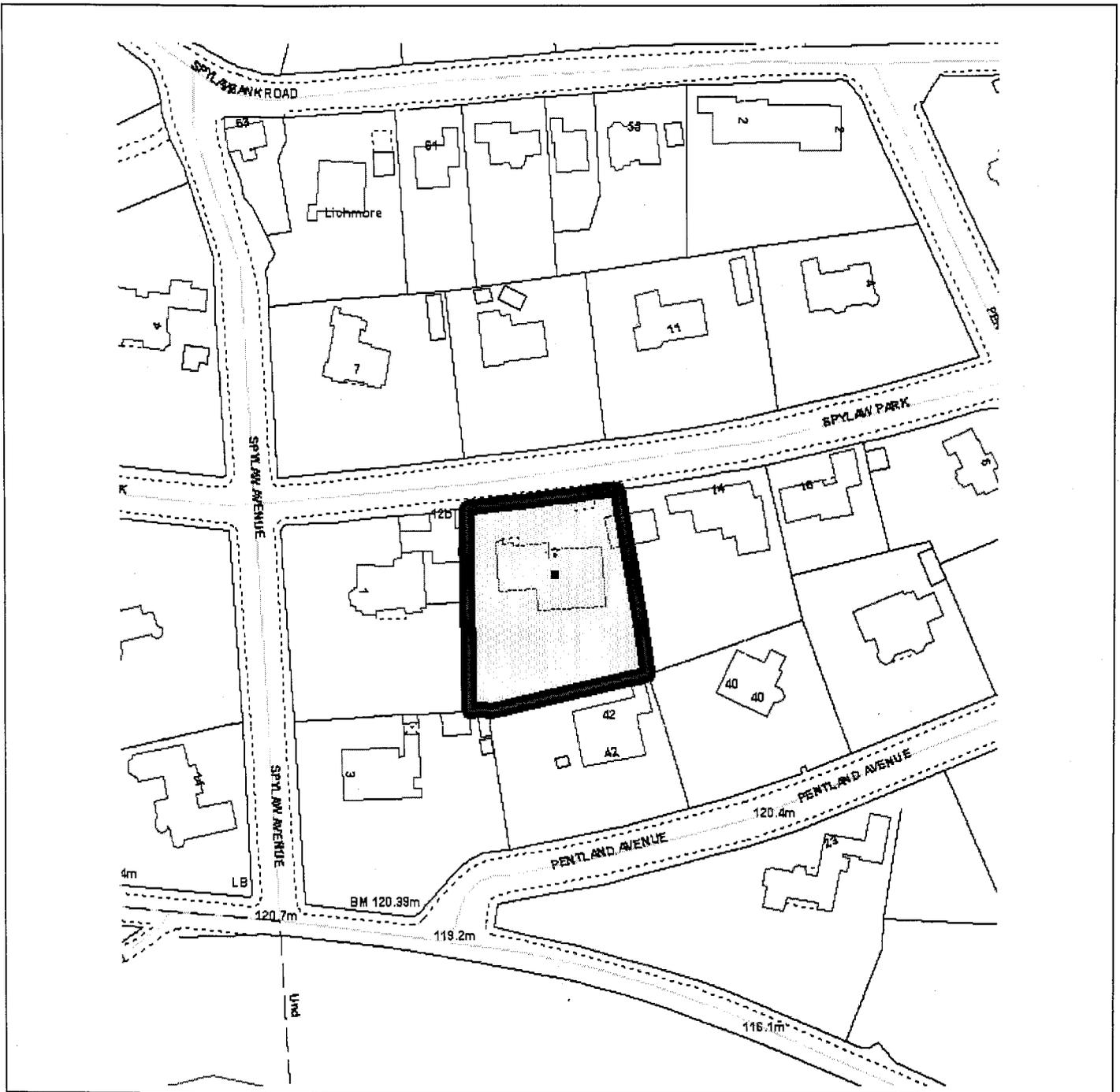
**Local Plan** South West Edinburgh

**Statutory Development  
Plan Provision** Mainly Residential

**File**

**Date registered** 10 May 2004

**Drawing numbers/  
Scheme** 1 -2



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# **PLANNING APPLICATION**

<b>Address</b>	<b>12 Spylaw Park, Edinburgh, EH13 0LP</b>		
<b>Proposal</b>	<b>Demolition of existing garage, construction of new garage, store and guest cottage</b>		
<b>Application number:</b>	<b>04/01354/FUL</b>	<b>WARD</b>	<b>43- Colinton</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			