

**Full Planning Application**  
**at**  
**32 Moat Terrace**  
**Edinburgh**  
**EH14 1PS**

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

**Proposal:** Build residential development of 24 flats ( as amended) with associated vehicular access and parking  
**Applicant:** Hopemangreen (Scotland) Ltd.  
**Reference No:** 02/04576/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. Prior to the release of the planning permission the applicant shall enter into a Section 75 Legal Agreement to secure the following:
  - A financial contribution towards Safer Routes to Schools to be agreed by the Director of City Development.
3. 1) Prior to commencement of work on site;
  - a) a site survey (including bore hole testing where necessary) shall be carried out to establish, to the satisfaction of the Head of Planning, either that the level of contamination of any 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 development, and

b) a detailed schedule of any required remedial and/or protective measures, including their programming, shall be submitted to and approved in writing by the Head of Planning.

2) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.

4. 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.

5. 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 Head of Planning & Strategy before work is commenced on site.

6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

2. In order to safeguard the interests of road safety.

3. In order to protect the amenity of the occupiers of the development.

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

5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

6. In order to ensure that the approved landscaping works are properly established on site.

## 2 Main report

### Site description

The application site is situated at the north western end of Moat Terrace. It is currently occupied by two one-storey buildings operating as a car repair garage. The site is bound on the south west by one metre high railings and to the north east by post and wire fencing. The site is level.

The site is surrounded by residential properties on all sides. To the north east is a 4 storey traditional tenement. The site links into a tenement on the south east. On the south western side of Moat Terrace, directly facing the proposed development, lie two storey dwelling houses approximately 0.5 metres lower than the road level. On the north western boundary lies a double garage with two storey housing to the west of that.

### Site history

There is no relevant planning history for this site.

### Development

#### Scheme 1

The original scheme proposed 30 dwellings in a four-storey block. 31 car parking spaces were proposed accessed on the western side of the building through a pend under the central part of the building. The original proposal was dominated by car parking with the access road dominating the rear of the building with little garden area provided.

The building measured 16 metres in width by 47 metres in length and would project 4 metres to the rear of the adjoining tenement block, 9 metres from the rear boundary.

The proposal would step down from four to three floors at the eastern side of the site. The top floor was proposed as a double upper with a glazed roofing area.

#### Scheme 2

Scheme 2 continued to propose 30 dwelling units. The pend under the building would be removed and access in the car parking area would be taken around the western side of the residential block with a rear garden depth of 12 metres. The revised proposal would measure 41 metres in length by a maximum of 16.5 metres in width.

### Scheme 3

The revised scheme follows a similar foot print to scheme 2 at 42 metres in length by a width varying from 13 metres in the east to 15 metres in the west. The revised scheme proposes 24 dwelling units of a mix of 2 and 3 bedrooms with 24 car parking spaces and a cycle store, 9 of the spaces would be positioned to the front of the property. The proposal would be constructed over four floors with a penthouse suite set within a glazed area on the roof.

The architecture is of modern design with four glazed panels proposed up the front of the building with metal balcony detailing. Reconstituted stone and powerwall render are the proposed materials.

Tree planting is proposed along the Moat Terrace side with a communal area of open space proposed to the rear measuring 12.5 metres in depth by 44 metres in width. The stone boundary wall to the rear of the property would be retained.

### **Consultations**

#### **Environmental and Consumer Services**

1. Prior to commencement of work on site;
  - a) a site survey (including bore hole testing where necessary) shall be carried out to establish, to the satisfaction of the Head of Planning, either that the level of contamination of any 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 development, and
  - b) a detailed schedule of any required remedial and/or protective measures, including their programming, shall be submitted to and approved in writing by the Head of Planning.
2. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.

### **Transportation**

Application to be continued for the applicant to provide a revised layout with regards to parking sight lines and access.

#### Further Comment Scheme 3:

No objection subject to a financial contribution to Safer Routes for Schools.

### **Education**

There would be spare capacity at all four catchment schools to accommodate this development. Accordingly, the Education Department would have no objections to this application.

## **Housing**

The Housing Department has worked with Planning to develop a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy for the City. The Affordable Housing Policy makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at Ward level other than for sites of over 500 units. In Moat Ward, in which this site lies, affordable housing is to be provided within sites of more than 40 units.

As this application is only for 30 units the Affordable Housing Policy is not triggered in this instance.

## **Representations**

### Scheme 1

There have been 84 letters of representation, including 2 letters of comments and 82 letters of objection. The grounds of objection may be summarised as follows:

- lack of boundary detail
- parking bays within 1.5 metres of windows
- poor access and insufficient parking arrangements
- overshadowing
- overlooking/loss of privacy
- topography of site not accurately shown

Non material objections:

- disruption to neighbours through out development
- devaluation of property
- development could stimulate further subsidence

### Scheme 2

Neighbours were re-notified in respect of the revised proposal. 140 letters of representation were received. The grounds of objection were as above including:

- design and materials out of keeping with the area
- density too high particularly in association with those on Slateford Road
- lack of facilities in the area

### Scheme 3

Due to the limited extent of the changes the neighbours were not formally notified in respect of the third scheme, however a further 70 letters of representation were received. The reasons for objection remain as with the previous schemes.

## **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 Plan**

Policy H1 supports the development of identified housing sites (HSG 1 - HSG 12) and encourages the development of other suitable housing sites, provided that proposals are in accordance with other local plan considerations including the need to safeguard land of recreational or landscape value.

Policy H3 expects new housing development to harmonise with, and reflect the particular character of, the surrounding area, if appropriate, and subject to a number of criteria.

Policy T5 requires development proposals to make specific provision for the needs of cyclists by ensuring easy access to the existing or proposed cycleway network and the provision of well designed cycle racks, where justified.

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

Policy E21 requires open space to be provided in all new housing developments, principally as a single space in one accessible area in accordance with certain stated standards.

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

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 its surroundings and the basic character of the city

Policy DQ7 states that the new development should include proposals for new tree planting and robust landscaping to achieve a suitable visual setting for new building and enhance open spaces and boundaries, and should be designed to minimise its impact on any trees subject to a Tree Preservation Order and other healthy trees worthy of retention.

Policy H1 General housing Policy seeks to encourage residential development, providing a satisfactory level of residential amenity can be achieved.

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 H08 (Open Space provision) sets out the requirements for open space in new housing developments.

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

Policy H15 (Financial contributions) requires housing developers to contribute to costs for extra educational facilities in areas where there is a shortage of school places.

Policy T1 Impact of new development, expects that new development with the potential to generate a significant amount of personal travel should be in locations accessible by a range of modes of transport.

### **Non Statutory Guidelines**

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

Gives guidance on the situations where developers will be asked to make financial or other contributions towards the cost of providing new facilities for schools.

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

## **3 Conclusions and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **ASSESSMENT**

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

- a) whether the proposed use is acceptable in this location;
- b) Whether the design is satisfactory given the setting of the site;
- c) Whether the proposals are detrimental to residential amenity or road safety.

a) The site is located within an area zoned for Housing and Compatible uses in the South West Edinburgh Local Plan, and the urban area of the West Edinburgh Local Plan. The principle of residential development is acceptable in this location.

b) The proposal as revised follows the building line of the adjoining tenement and will provide a satisfactory front elevation to Moat Terrace. A buffer zone of 2 metres will be provided to the front of the property allowing for the pavement, beyond which lies 9 of the 24 car parking bays with planting proposed on each side of the bays. This is considered acceptable in this location and reflects the built form of the adjoining tenement building.

The rear of the proposed building will align with the rear building of the adjoining tenement thus leaving a distance of 12.5 metres to the boundary and a distance of 25 metres window to window to the rear properties. This is an acceptable footprint leaving substantial rear communal garden area and takes into account the change in levels from the application site to the properties at the rear. Marginal areas of planting are proposed to the front and side of the building which would soften the overall impact.

The modern design treatment of the buildings will provide a visual link within the street from the traditional tenement to the 1970's two-storey houses. The proposed use of reconstituted stone and render is considered acceptable. The flat roofed glazed area sites comfortably with the adjoining tenement.

c) The proposal, as revised, would be set back 12 metres from the rear wall-creating window to window distance in excess of 18 metres to both the front and rear of the property. The side facing bedroom windows fall within 9 metres from the boundary of the site. However, these would look onto the side blank elevation of the neighbouring garage and at the upper storeys would look onto its roof. In this regard the proposal would not give rise to overlooking. The proposal complies with the Council's non-statutory guidelines in respect of Daylight, Privacy and Sunlight and would not give rise to detrimental overshadowing.

100% on site car parking is provided to the satisfaction of Transport.

The proposal will result in the loss of garages on the site but these are currently unused, associated with the commercial garage operations.

There are no material planning considerations which outweigh this conclusion.

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

Alan Henderson

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**Alan Henderson**  
Head of Planning and Strategy

**Contact/Tel** Jennifer Young on 0131 529 3903 (FAX 529 3716)

**Ward affected** 28 -Moat

**Local Plan** South West Edinburgh Local Plan  
Draft West Edinburgh Local Plan

**Statutory Development  
Plan Provision** Housing

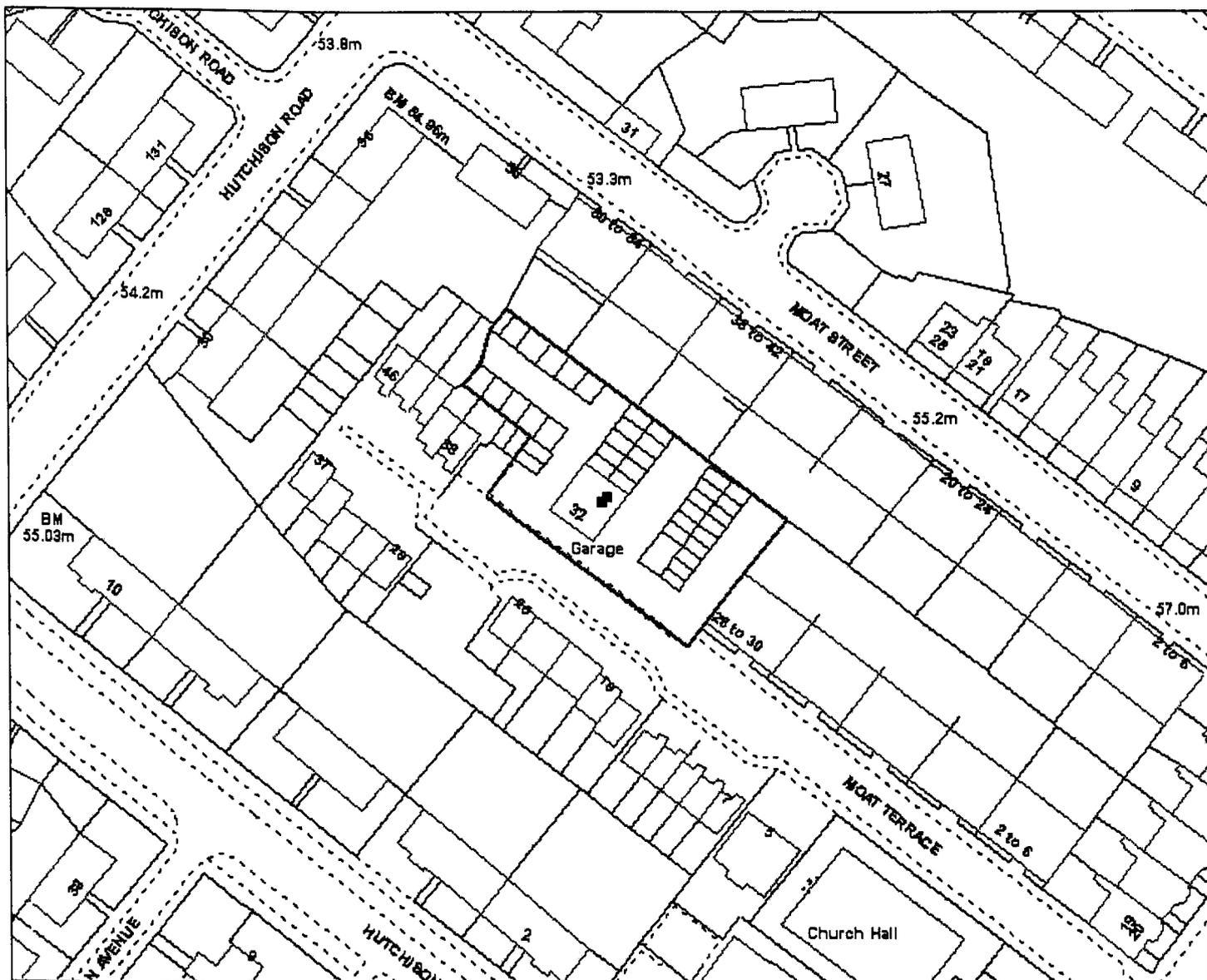
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**Date registered** 7 January 2003

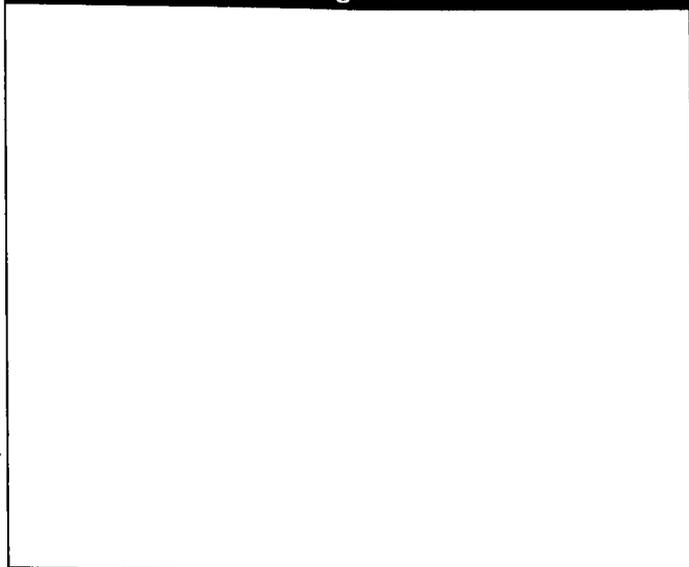
**Drawing numbers/  
Scheme** 1, 2

# 32 MOAT TERRACE

02/04576/FUL



## Legend



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<b>Organisation</b>	CITY OF EDINBURGH COUNCIL
<b>Department</b>	CD - PLANNING & STRATEGY
<b>Comments</b>	Not Set
<b>Date</b>	28 July 2003
<b>SLA Number</b>	