

**Full Planning Application 04/03358/FUL
at
53 Juniper Avenue
Juniper Green
EH14 5EE**

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

1 Purpose of report

To consider application 04/03358/FUL, submitted by J McCann.. The application is for: **Vacant land with empty house to be demolished. Construction of 3 two bedroom town homes**

It is recommended that this application be **REFUSED**

2 The Site and the Proposal

Site description

The site has an area of approximately 873sq metres. There is an existing one and a half storey cottage on the site. Access is from Belmont Road and Juniper Avenue.

The site is within the Juniper Green Conservation Area.

Site history

May 2005 Application for Conservation Area consent submitted.
Undetermined. (04/03358/FUL)

Description of the Proposal

The proposal is for the demolition of the existing house on the site, and the erection of 3 detached properties. Each property would be one and a half

storey with 2 bedrooms and an integral garage. The houses would have a conservatory to the rear.

Materials: rendered blockwork with coin stones; slate roof, timber or UPVC windows and doors, timber fences and hedges, paviors to driveway and parking areas.

The applicant states that the property on the site has been empty for a number of years and that the proposed development would be in keeping with adjacent properties.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve or enhance the character or appearance of the conservation area? If they do not, there is a strong presumption against the granting of permission.
- Do the proposals comply with the development plan?
- If the proposals 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 these determining issues the Committee needs to consider whether:

- a) The proposals preserve or enhances the character and appearance of the conservation area;
- b) The principle of the development would be acceptable;
- c) There would be any adverse effect on the amenity of neighbouring property;
- d) The proposed access, parking and servicing of the site would be acceptable.

a) *Juniper Green Conservation Area*

Off the main road, along both side avenues and Belmont Road the incorporation of such earlier development into a formal layout may have also established a tradition of backland development along the back of long rigg

plots. There is considerable repetition of long access ways bound by stone walls passing between frontage properties. Some are unmade up lanes or driveways wide enough for a car, but many are pathways suitable only for pedestrians.

Most later houses behind the frontage building keep the same orientation and are separated by mature planting and/or stone walls eg Juniper Terrace. These elements tend to break up the length of riggs almost into small courts. Today this apparent courtyard pattern is very reminiscent of agrarian dominated cultures which have houses in courtyards or in small holdings and so it very much reinforces a rural character. This pattern is clear from plans and its attraction apparent when walking round the village. As this is such a very distinctive part of the areas character, this is developed further in the section on townscape.

The mix of property and plot type has now been extended by modern developments. The demands for a higher density and roads layouts to modern standards are the principle reasons for these developments not being able to respect the existing and prevailing traditional structural and spatial patterns.

Juniper Green is made distinctive by its mix of plot sizes and shapes, in comparison with the uniformity and often smaller size of those of surrounding settlements, and by the way and extent to which many of these are still accessed down long lanes or pathways between stone walls. They pass behind frontage development with a pedestrian priority and human scale. Whilst more of a residential suburb by use, it still retains the structure of a village.

It is possible to extend the enclosed quality of the village character to the outer sides of the Avenues i.e. the west side of Juniper Avenue and the east side of Baberton Avenue. These have almost continuous frontages of terraced forms set to the edge of the pavement and with only very narrow and a limited number of gaps for access. Whilst there are some old dispersed properties and a recent flatted development beyond the avenue there remains a clear field boundary and edge between village and countryside. Where these clear edges occur, they reinforce the sense of enclosure given from external views.

The architectural form and character of Juniper Green Conservation Area is varied, reflecting its development over the years.

The Villa Guidelines are not considered to apply as the property is more of a 'cottage' style, in a village type area as described in the character appraisal as opposed to a traditional 'villa' area.

The building at the site is of some architectural merit although subject to a number of later alterations and makes a positive contribution to the character of the conservation area. Any redevelopment would require to make an equal or greater contribution.

The existing house is set within a generous feu. This spacious garden setting and open space should be retained to maintain the independent character of the site and area in general. The spatial character of the area would be adversely affected by the proposed development.

The style of the buildings are standard kit build proposals. They are not designed for the site. They do not make a positive contribution to the amenity or architectural quality of the area.

The development would be a backland development which in design terms does not reflect the traditional built form of the area or enhances the environment.

The size of the garden grounds do not reflect the spatial pattern and townscape of this area.

The use of traditional materials only would be permitted for this site. This requirement could be covered by condition.

The design and form of the proposed development would not be acceptable and the loss of the existing building without a suitable replacement development would not be acceptable. The proposal would have an adverse effect on the character and appearance of the Juniper Green Conservation Area.

b) The site is in an area defined as mainly residential in the adopted local plan and Urban area in the Draft West Edinburgh Local Plan. In principle a residential use is acceptable as long as other material considerations can be met.

SEPA request that any permission granted includes a condition requiring the applicant treat surface water from the site. This can be covered by condition. No comments have been received from Scottish Water.

c) The proposed development would result in windows being less than 9 metres to the west site boundary. There would be less than 18 metres between the proposed properties and the existing rear elevations of 55-59 Juniper Avenue. The rear gardens of these properties would also be overlooked. This would be in breach of the Councils privacy policy.

There would be some minor overshadowing of adjoining property to the south of the site. This would amount to approximately 5.4 sq metres in a strip of 0.6 metres width to the adjacent land. This is considered a minor infringement of the guidelines.

The effects of the proposal on neighbouring property would not be acceptable and would be detrimental to their amenity.

d) The parking provision for the proposed development would be acceptable. However, transport recommend that the application be refused as the geometry and road widths would be detrimental to road safety.

The plans submitted with the application are inaccurate on a number of accounts. Revisions have not been sought given the overall unacceptability of the scheme.

In conclusion, the proposed development would adversely affect the character and appearance of the Juniper Green Conservation Area, would have a detrimental effect on the character of the area, on the amenity of neighbouring property, and highway safety. It also contains a number of inaccuracies. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application for reasons relating to effect on the conservation area, residential amenity, road safety and inaccuracy of drawings.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Karen Robertson on 0131 529 3990 (FAX 529 3716)
Ward affected	02 - Baberton
Local Plan	SWELP
Statutory Development Plan Provision	
Date registered	21 February 2005
Drawing numbers/ Scheme	1-11 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517. Email: helen.martin@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk

or sarah.bogunovic@edinburgh.gov.uk

Application Type

Application Address:

Proposal:

Reference No: 04/03358/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

The application should be refused. The geometry and road widths would be detrimental to road safety. An application for RCC would also be required to be made. The submitted road details would not meet the requirements of such an application.

SEPA

SEPA have no objection in principle to the proposed development although the following comments will apply:

Foul Drainage

1. There has been no indication of the proposed method of treatment of foul drainage from the proposed development. However, it is important that foul drainage is connected to the public foul sewer. Connection to the public foul sewer is subject to the approval of the Scottish Water and permission to connect may depend on the availability of spare capacity. If you require further clarification then it is recommended that you consult with Scottish Water on this issue.

Surface Water

2. There has been no indication of the proposed method of treatment of surface water from the proposed development. However, SEPA would request that any planning permission granted includes a condition requiring the applicant treat surface water from the site in accordance with the principles of Planning Advice Note 61 and Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 (<http://www.ciria.org.uk>). Such surface water drainage arrangements will need to meet the requirements of SW, the Council and SEPA area staff.

Landscaping

3. Construction works associated with the development of the site must be carried out with due regard to the SEPA's guidelines on avoidance of pollution (PPG1 and PPG6). These publications are available free of charge on the SEPA website www.sepa.org.uk/guidance/ppg/ppghome.htm or from any SEPA office.

4. There may be waste management licensing implications arising from the importation of waste material such as soil for landscaping or for any other purpose. Generally, waste material can only be imported to a site if waste management license is in effect or if an activity exempt from licensing has been registered with SEPA in accordance with the Waste Management Licensing Amendment (Scotland) Regulations. Similarly, any waste removed from a site must be deposited either at a suitably licensed site or at a site for which a relevant exempt activity has been registered. SEPA regards all soils, including topsoil, removed from sites as waste.

5. Where waste is either imported to or exported from a site, applicants and their contractors should be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

Representations

The application was advertised on 4th March 2005. Letters have been received from The Cockburn Association, The Architectural Heritage Society of Scotland and Councillor Paisley. 10 letters have been received from neighbours. A petition with 62 signatures has also been received. Points raised are as follows:

1. Overdevelopment of land.
2. Incomplete neighbour notification.
3. Access/ shared drive.
4. Should be in keeping with area.
5. Loss of privacy.
6. Disturbance through increase number of vehicles.
7. Plan incorrect.
8. Conservation area. No contextual analysis.
9. Density/ scale out of keeping with area.
10. Insufficient parking, and increased on street parking.
11. Damage of service pipes.
12. Hedge on boundary is very old and should be safeguarded.
13. No maintenance of existing plot. Overgrown. Property allowed to deteriorate. Property is not beyond repair.
14. Need for small houses in the area.
15. design will fit in with existing properties.
16. Improve appearance of site.
17. Overshadowing.
18. Not of appropriate appearance for Conservation Area. Architectural quality is disappointing.
19. No details of building materials.

- 20. Simple terraced arrangement would result in a more spacious development.
- 21. Backland development.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

South West Edinburgh Local Plan

Mainly residential. Juniper Green conservation area.

Draft West Edinburgh Local Plan

Urban area. Juniper Green Conservation Area.

Memorandum of Guidance on Listed Buildings and Conservation areas

p4.26 The demolition of even a single building and the construction of a new building or buildings in its place could result in the character or appearance of a conservation area, or part of it being severely prejudiced.

P4.28 Planning Authorities should take into account of the importance of the building to the character or appearance of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.

If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the Planning Authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. In some cases, demolition may be thought appropriate, for example, if the buildings is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult.

P4.29 In instances where demolition is to be followed by re development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

P4.31 In the past, unsightly gaps have appeared in conservation areas as a result of premature demolition, and have resulted in unsatisfactory development, allowed to fill those gaps. Planning authorities are requested to consider the long term future of a particular site rather than considering the reasons for demolition in isolation.

Relevant Policies:

SWELP:

Policy E3 establishes that within all Conservation Areas, the Council will exercise careful control over all development in order to preserve and enhance the special character of the areas. Demolition of buildings and structures will not be permitted if likely to affect adversely the character of the area.

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 T7 requires adequate provision of car parking in all new development by developers, in conformity with the Council's adopted standards.

DWELP:

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 DQ18 supports the demolition of buildings within conservation areas which are considered to be detrimental to the character or appearance of the area, but applications must be supported by acceptable proposals for the redevelopment or treatment of the cleared site.

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 T8 requires that private car parking provision conforms with the Council's adopted parking standards and should be sited and designed to minimise its visual impact and effect on neighboring properties and to take account of community safety.

Non-statutory guidelines on 'VILLA AREAS AND THE GROUNDS OF VILLAS' provide guidance on development, to ensure the conservation and enhancement of villa areas.

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

Non-Statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Application Type
Application Address:
Proposal:
Reference No: 04/03358/FUL

Conditions/Reasons associated with the Recommendation

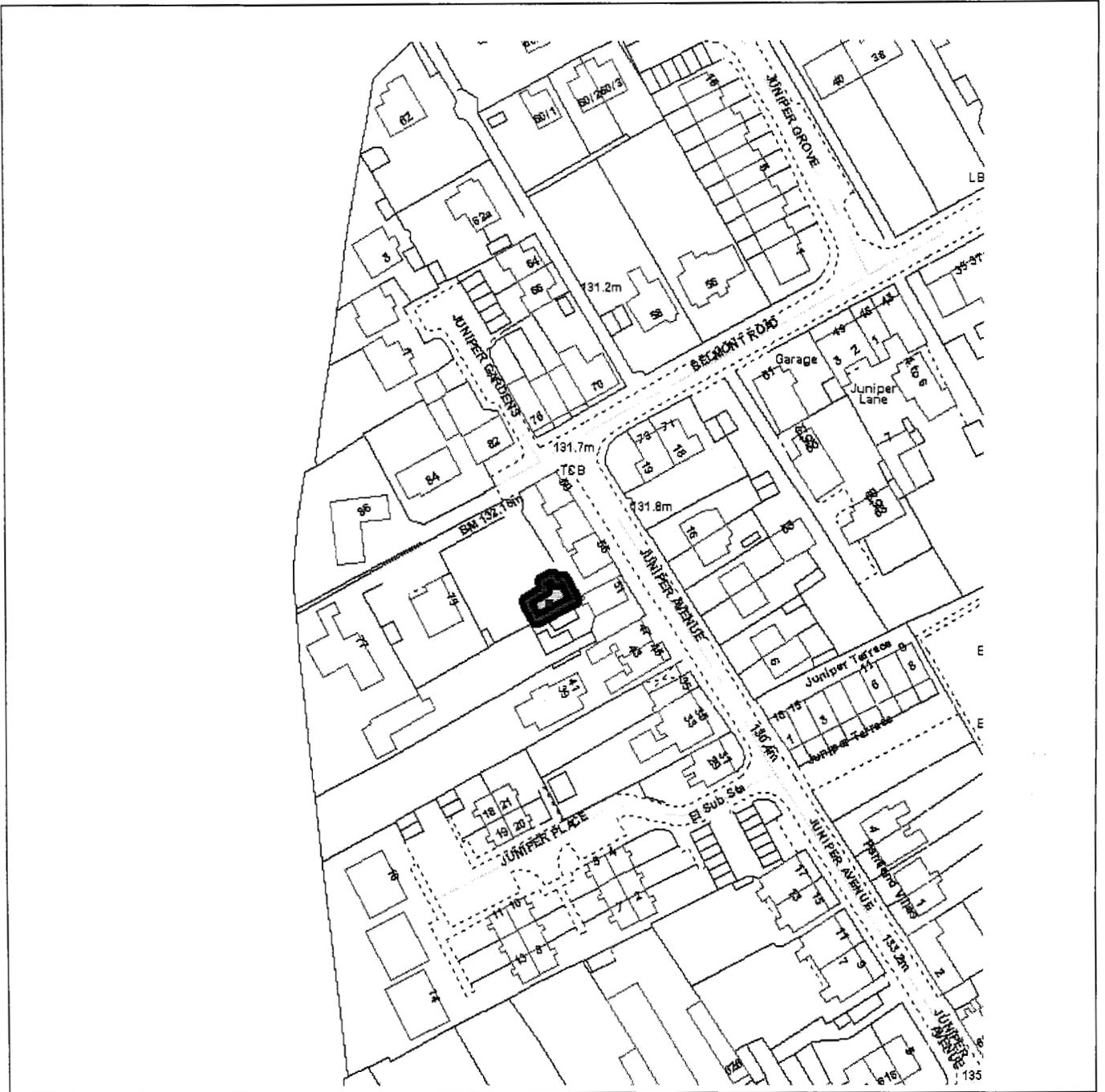
Recommendation

It is recommended that this application be **REFUSED**

Reasons

1. The proposed development fails to preserve or enhance the special character of the Juniper Green Conservation Area, and fails to make a positive contribution to the quality of the environment as it does not reflect the spatial character and traditional pattern of development in the area, and is not acceptable in terms of its detailed design. This would be contrary to South West Edinburgh Local Plan policies E3 and E5, and policies DQ17 and DQ6 of the Draft West Edinburgh Local Plan.
2. The demolition of the existing building would be detrimental to the character and appearance of the area, and the proposed replacement development would not be acceptable contrary to South West Edinburgh Local Plan policy E3 and Draft West Edinburgh Local Plan policy DQ18.
3. The proposed development would be detrimental to highway safety due to unsatisfactory geometry and road widths.
4. The proposal would result in loss of privacy to adjoining property to the detriment of the amenity of neighbouring residents, contrary to the Council's Non Statutory Guidelines on Daylighting Privacy and Sunlight.
5. Drawings which accompany this application are inaccurate.

End



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PLANNING APPLICATION

Address	53 Juniper Avenue, Juniper Green, EH14 5EE		
Proposal	Vacant land with empty house to be demolished. Construction of 3 two bedroom town homes		
Application number:	04/03358/FUL	WARD	02- Baberton
THE CITY OF EDINBURGH COUNCIL THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			