

Full Planning Application
at
32 Moat Terrace
Edinburgh
EH14 1PS

Development Quality Sub-Committee
of the Planning Committee

Proposal: Residential development of 24 flats with associated vehicular access and parking
Applicant: Bordal Motor Engineers Ltd.
Reference No: 04/00771/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 grant 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.
- the appropriate financial contribution to Education Infrastructure

3. Prior to the commencement of works on site;

1. 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 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. Sample/s of the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.

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 Head of Planning & Strategy 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 eastern end of Moat Terrace. It was last occupied by two one-storey buildings operating as a car repair garage, it is now cleared of buildings. 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 adjoins 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

02/04576/FUL - Planning permission was granted on 26 January 2004 for the erection of 24 flats with associated vehicle and parking spaces.

02/04576/VARY - An application to vary the approved layout is currently pending consideration.

Development

The proposal (as revised) is for the erection of 24 flats developed in a four and a half storey block. The scheme is similar in design and layout to that approved under 02/04576/FUL. It would be set off the neighbouring tenement block by 1 metre, linked by a louvre panel. The reason for the shift of the building is that owing to vents on the end of the neighbouring tenement a one-metre distance is required on the grounds of Health and Safety to allow for gases to escape. The louvre panel would provide a link from the front of the new building and would allow for adequate ventilation. The louvres would be constructed from horizontal cedar cladding.

The building (as revised) would measure 38 metres in length by a maximum of 15 metres in width. It would align with the front and rear of the original neighbouring tenement and would retain a 12-metre distance to the rear boundary. On the western boundary the building would be positioned almost 9 metres from the retained garage with a strip of land approximately 4.5 metres retained in separate ownership. There is no proposal for this piece of land. This change from the original footprint results in principally internal changes to the approved scheme. There are minor changes to the elevational detail.

The car-parking configuration has changed from the previously approved scheme with 18 spaces proposed on the north western side of the site and 6 to the front of the building. The bin store and cycle store, both flat roofed buildings, would be sited to the rear of the flats.

Consultations

Environmental and Consumer Services

This department would like our comments made on the original application to be attached to this variation. Thus;

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.

Education

School Capacities

This site is located within the catchment areas of Balgreen primary School, Tynecastle High School, St Cuthbert's Roman Catholic Primary School and St Augustine's Roman Catholic High School.

Balgreen Primary School is currently operating and is forecast to remain in this position until 2009. Accordingly, a develop contribution towards alleviating the accommodation pressures at this school. Based on the development of 24 flats, a contribution of £9,936 would be required.

St Cuthbert's Primary School, Tynecastle High School and St Augustine's High Schools are forecast to have adequate spare capacity to accommodate this development.

The forecasts are based on 2002 Start of Session School Rolls and housing completions identified in the Draft Housing Land Audit 2001. Revised child ratios have been applied.

Summary

There is no spare capacity available at Balgreen Primary School to serve this development. Accordingly, a contribution of £9,936 should be sought. If no contributions are secured towards alleviating accommodation pressures at this school, then I would have no objection to this application.

Representations

Two letters of representation have been received in respect of the proposal. The reasons for objection may be summarised as follows;

- development keeps changing shape
- access will cause congestion
- impact on highway safety
- impact on the character of the area
- building too high
- loss of light
- pollution implications
- health and safety implications from the bin stores
- the space is currently used by children playing
- developer will not have regard to the plans

Policy

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

Relevant Policies:

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 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.

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

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 of Edinburgh Local Plan. The principle of residential development is established in this location as planning permission was granted for a similar scheme on 26/1/04 ref 02/04576/FUL.

b) While the proposal differs from the approved scheme (ref 02/04576/FUL), it still follows the building line of the adjoining tenement and will provide a satisfactory front elevation to Moat Terrace. A footpath of 2 metres will be provided to the front of the property beyond which would parking bays and planting areas. The proposal is considered acceptable in this location and reflects the built form of the adjoining tenement building. The internal reconfiguration has minimal impact upon the external appearance of the building and it is therefore considered that the overall design is acceptable and follows the principles of that approved under 02/04576/FUL.

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. This is an acceptable footprint leaving substantial rear communal garden area and takes account the change in levels from the application site to the properties at the rear. Areas of planting are proposed to the front and side of the building which would soften the overall impact.

The proposal would be set off the adjoining tenement with a ventilated link which is considered acceptable. 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 sits comfortably within the adjoining tenement. The proposal retains the design principles approved under 02/04576/FUL.

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 4.5 metres from the boundary of the site. However, these would look onto the side blank gable elevation of the neighbouring garage some 9 metres away, and at the upper storeys would look onto its roof.

The proposal steps forward of the tenement building line by 1.5 metres for a length of 11 metres, to two metres projection for a 4.5 metre distance. The pinch point would be for a distance of 6 metres opposite number 25 Moat Terrace. At this point the proposal meets the 43-degree angle from a point of 2 metres as accepted on the previous scheme.

Additionally the calculations in respect of Vertical Sky Component based on a 25% angle, taken at the narrowest point between the buildings a VSC of 27% is achieved. This complies with the guidelines provided in the BRE document, and the impact in daylighting terms is not materially different from the approved scheme.

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

There are no material planning considerations which outweigh this assessment.

While the changes to the scheme previously approved are material, they do not significantly alter the proposed development which remains acceptable in principle and in detail.

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


Alan Henderson
Head of Planning and Strategy

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

Ward affected 28 -Moat

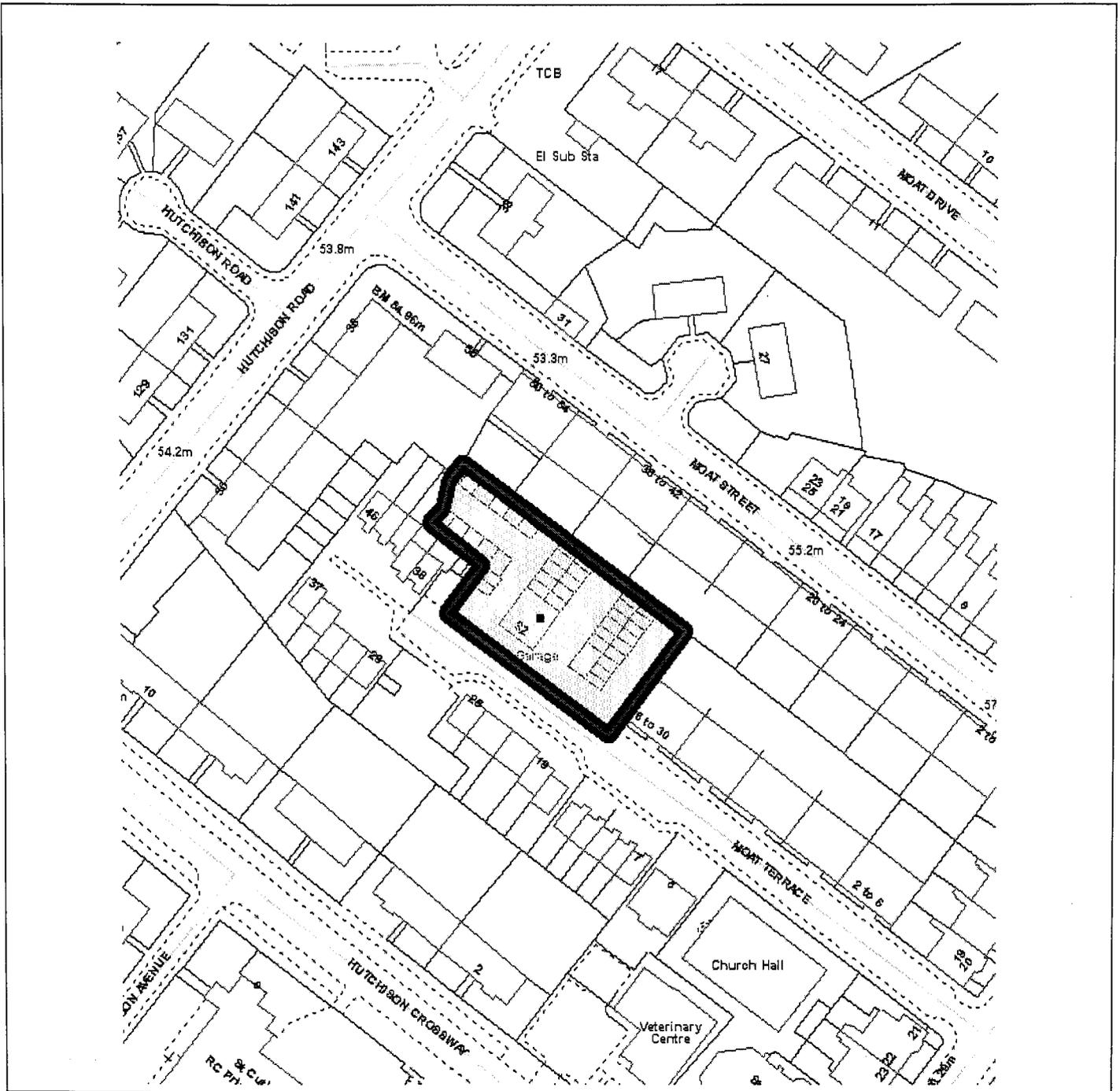
Local Plan South West Edinburgh Local Plan
Draft West Edinburgh Local Plan

**Statutory Development
Plan Provision** Housing and Compatible uses

File

Date registered 22 March 2004

**Drawing numbers/
Scheme** 1,3,4,5



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PLANNING APPLICATION

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|---|---|-------------|-----------------|
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| Application number: | 04/00771/FUL | WARD | 28- Moat |
| THE CITY OF EDINBURGH COUNCIL | | | |
| THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY | | | |