

## Approval of Reserved Matters 04/01481/REM

at

Whinrig

200 Mansfield Road

Balerno

EH14 7LF

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

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#### 1 Purpose of report

To consider application 04/01481/REM, submitted by Mr + Mrs Davies. The application is for: **Proposed 5 bedroom dwelling**

It is recommended that this application be **REFUSED** for the reasons in Appendix B.

#### 2 The Site and the Proposal

##### Site description

The application site is 0.125 hectares in area and is the former Whinrig Restaurant and associated car park on the west side of Mansfield Road, 0.25 km to the south of Balerno in a countryside setting. The site is flat and is screened to Mansfield Road by high conifer hedging and partially screened to the north, south and south west by trees. Collectively the trees contribute to the wooded character and attractiveness of the locality. The site is bounded to the north-west and south by detached residential properties. There are two existing vehicular accesses to the north and south of the site onto Mansfield Road.

## **Site history**

30.01.2002 Outline planning permission was granted for the demolition of "Whinrig" and use of the site for residential purposes. The consent was subject to siting, design, external appearance, parking and access and landscaping being reserved matters, the number of houses being restricted to one and the construction details and external finishes being reserved.

November 2004 A Tree preservation Order No2. 2004 was served on the site of the current application plus the adjacent premises to the west, 'Bella Vista'.

## **Description of the Proposal**

### Scheme 3

The proposal is to demolish the existing house which is positioned on the northern part of the site and erect a single detached five bedroomed dwelling house positioned in the southern part of the site. The building would have a staggered footprint with integral garage and be one and a half to two storeys; 7 metres, high with wall head dormers.

The external materials are harled walls and tiled roof with a slate appearance.

It would be positioned between 6 and 7.2 metres from the southern boundary and within 0.5 metres from part of the north western boundary.

Access is from an existing access onto Mansfield Road. The proposal shows a visibility splay onto Mansfield Road. This includes a low stone wall with a close boarded timber fence, stone posts and stone cappings.

New planting with native species is proposed along the southern boundary. The Lawson cypress hedge along the front would be removed and replaced with a hedge containing a mix of hawthorn, blackthorn and holly with two oak and two birch trees.

There are 29 trees forming a group of trees occupying the southern part of the site. Of these 29 trees fifteen are shown for removal; eight trees for arboricultural reasons and seven for development reasons. The applicant proposes to plant 12 replacement trees which would occupy a significantly reduced footprint to the current group.

The applicant has submitted a Tree Survey, an Arboricultural Implication Study and a supporting statement. These are available in Group Rooms. The issues covered in the supporting statement include siting, screening considerations, design, parking and access, landscaping, external appearance, response to policies.

### Scheme 2:

Included a repositioning of the building, a reduction in the building footprint, the replacement hedge and showed the visibility splay onto Mansfield Road.

### Scheme 1:

The proposed house was 9 metres high with a larger footprint, positioned closer to the southern boundary. The replacement hedge was not shown. The visibility splay at Mansfield Road was not included.

## **3 Officer's Assessment 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 reasons for approving them?

### ASSESSMENT

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

- a) the siting, design and external appearance of the building are satisfactory
- b) the effect on the trees within the site and the proposed landscaping is acceptable
- c) the parking and access arrangements are satisfactory.

a) The building has been positioned towards the southern part of the site which is sensitive. This is the part of the site where the majority of the trees are situated and these form a significant group and are covered by the tree preservation order. The proximity of the footprint of the building and working space around this will require the removal of eight trees and several more could not be adequately protected from potentially damaging construction activities and may ultimately be lost. In addition, the close proximity of the proposed house and the surrounding garden to the trees to the south and west would result in excessive shading creating an inadequate level of amenity and is likely to lead to occupiers of the house seeking to remove or cut back trees. It is acknowledged that the group of trees to the south of the site contains a number of poor individual trees and that some felling and remedial work is required. The tree preservation order would require such work to be accompanied by replacement planting to ensure the continuity of

tree cover and would not provide opportunities for developing on or in close proximity to the areas of tree cover.

The applicant in his supporting statement argues that replacement planting will mitigate the effects of any tree loss and provide a significant improvement to biodiversity. However, the proposals would significantly reduce the extent of tree cover at the southern part of the site.

The replacement of the Lawson cypress hedge to the front of the site with a hedge more in keeping with the rural character of the area is welcomed. However, the position of the house in relation to the trees covered by the tree preservation order will lead to a degradation of the wooded character with the consequent diminution of wildlife habitat.

The design of the building has been amended to reduce the height and the footprint. Balerno and the surrounding area contain a wide variety of building designs. The design proposed is similar to some recently built houses in the surrounding area and the applicant has made reference to these in his supporting statement. These differ from the current proposal in that this is a single house in a roadside setting in the greenbelt. The buildings currently on site are low and have relatively little impact on the landscaped setting or visual amenity of the green belt. This house has not been designed to take into account the rural character or the landscaped setting of the site and would appear as an extension of suburban housing into a countryside setting and have an adverse effect on the visual amenity and character of the area.

b) The proposal will have an unacceptable impact on trees covered by a Tree Preservation Order as result of the siting of the building. The area of woodland would be reduced and this would have an adverse impact on both the visual amenity and wildlife value of the site.

C) Parking and access are acceptable and there is no objection to the proposal on road safety grounds.

It is recommended that the Committee refuses this application, for the reasons relating to landscaping and design.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Helen Martin on 0131 529 3517 (FAX 529 3716)
<b>Ward affected</b>	01 - Balerno
<b>Local Plan</b>	Currie, Balerno,/Finalised Rural West Edinburgh
<b>Statutory Development Plan Provision</b>	Green Belt, Countryside Policy, Area of Great Landscape Value/Green Belt
<b>Date registered</b>	23 April 2004
<b>Drawing numbers/ Scheme</b>	1, 5, 6

**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](http://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](mailto: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](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Approval of Reserved Matters  
**Application Address:** Whinrig  
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**Proposal:** Proposed 5 bedroom dwelling

**Reference No:** 04/01481/REM

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## Consultations, Representations and Planning Policy

### Consultations

#### TRANSPORT

##### Scheme 1

*The application should be continued for the developers agent to submit sightline details.*

##### Scheme 2

*No objection.*

### Representations

Twenty five letters of representation have been received including one from The Balerno Community Council, Lynda Clark MP and The Malleny Mills Residents association. A petition with 214 signatures has also been received. The material concerns relate to:

- Contravention of green belt policy
- Road safety
- Loss of woodland
- Woodland should have a TPO
- Out of character with the area
- Overshadowing
- Loss of privacy
- Lack of infrastructure
- Possible flooding due to water run off
- Does not protect landscape and rural setting
- Does not maintain or increase biodiversity.
- Not in compliance with the outline consent

***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**

In the Currie Balerno Local Plan the site is in the Green Belt and a Countryside Policy Area. In the Finalised Rural West Edinburgh Local Plan it is in the Green Belt.

### Relevant Policies:

#### **Finalised Rural West Edinburgh Local Plan**

Policy E6 states that where acceptable in principle, development proposals in the Green Belt or Countryside must meet high standards of design and landscaping and meet criteria to safeguard local amenity.

Policy E15 seeks to ensure the survival and retention of healthy mature trees. Where the loss of woodland, trees or hedgerows is unavoidable, the developer will be required to undertake equivalent replacement planting.

Policy E16 promotes the protection of significant individual trees, tree groups and shelter belts through Tree Preservation Orders. No new development shall be sited within 20 metres of the trunk of a protected tree or within 10 metres of its canopy, whichever is the greater. Through its Urban Forestry Strategy, the Council will promote and support additional woodland planting, promote the enhancement of existing woodland and to ensure the sympathetic integration of new trees in woodlands, particularly in Areas of Great Landscape Value where there will be a presumption against large scale coniferous afforestation.

Policy E20 seeks to maintain and improve the nature conservation and biodiversity value of the countryside outwith the areas identified in policies E17 and E18. The impact of proposed development on wildlife, habitat, geological/geomorphological features and the overall landscape will be an important consideration for applications.

#### **Currie Balerno Local Plan**

Policy 2.16 states that within the Area of Great Landscape Value, the retention of landscape quality will be the overriding factor in considering proposals for development which may be acceptable under other policies.

Policy 2.67 states that throughout the local plan area, the Council will seek to control and influence the design of the development, including alterations/additions and extensions to existing buildings to ensure that the appearance of existing buildings is not impaired or the amenity of their surroundings is not adversely affected.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

To recommend that this application be **Refused** for the following reasons

### Reasons

1. The proposal would result in the reduction in an area of woodland which contributes to the landscape quality and biodiversity of the area contrary to policy 2.16 of the Currie Balerno Local Plan and policies E6 and E 20 of the Finalised Rural West Edinburgh Local Plan.
2. The proposed design and siting of the house would have an adverse effect on the visual amenity and rural character of the area contrary to policy 2.67 of the Currie Balerno Local Plan and policy E6 of the Finalise Rural West Edinburgh Local Plan.

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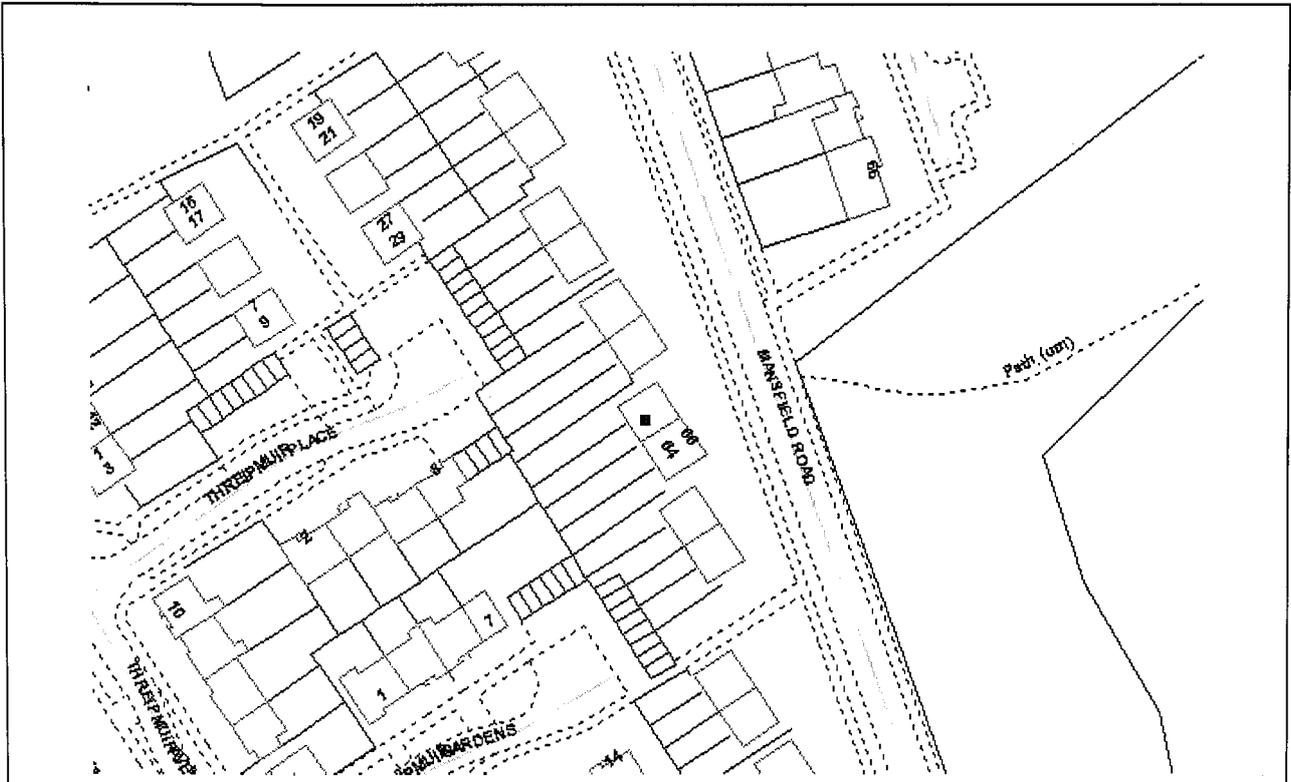
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### Location Plan



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