

Full Planning Application 04/03509/FUL
at
Silverknowes Neuk
Edinburgh
EH4 5QA

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 04/03509/FUL, submitted by Mr Whitmey. The application is for: **Proposed garages (single car, single storey)**.

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

2 The Site and the Proposal

Site description

The application site comprises two unsurfaced areas, located at either end (east and west respectively) of the Silverknowes Neuk cul-de-sac. This is a flatted residential area of three and four storey high blocks, accessed off the south side of Ferry Road. There are 10 blocks in total and the proposals are adjacent to blocks 4 and 9 respectively.

The two sites have been laid out as areas to accommodate lock-up garages, as part of the original estate design. One garage has been erected on the west site and one on the east site. Further garages are under construction on the east site (see History). There is a central garage court, between blocks 2 and 3 where eight garages have been erected. All are brick built with flat roofs. There are tarmac surfaced access roads leading to each of the sites.

Site history

1966: Consent granted for the erection of 70 flats in 3 and 4 storey blocks and areas of ancillary garaging (one for each unit) were illustrated and approved at that time. Visitor parking was also identified.

9 October 2003: Consent granted for the erection of 4 garages on the south-east corner site, subject to a restriction that the garages be for domestic purposes only.

15 July 2004: Letter sent to applicant requesting the submission of a further planning application. This was in response to complaints from neighbours that the foundations for nine garages had been laid.

Description of the Proposal

This application is for the erection of a total of 26 garages, 10 on the west site and 16 on the east site (partly retrospective). All the proposed garages match those approved in 2003 and measure 5.0m deep by 2.15m wide (internal dimensions) with a buff brick finish, a flat felt roof and white painted metal doors.

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 compelling reasons for approving them?

ASSESSMENT

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

- a) The principle of lock-up garages is acceptable in the proposed locations and whether the proposals will be detrimental to the character and appearance of the area.
- b) The access arrangements to the site are adequate.

- c) The proposals will be detrimental to residential amenity.
- d) The impact on surrounding trees is acceptable.

a) This estate was built by the developer McTaggart and Mickel in the late 1960's. The intention of the unmade strips of ground was for individual residents to use as parking bays/garage plots (approved as such in 1966). One objector states that each flat had a plot allocated to it in the title deeds. On the submitted application the applicant has signed the appropriate certificate stating that he owns all the land. It is understood that only a limited number of residents took up the option to build a garage, and the original developer has since disposed of the remainder of the land to the current applicant.

Several individual garages have been built on the estate for use by residents. Other residents use the areas as parking spaces. The principle of the use of this land for lock-up garages was established within the original consent. Some garages are already constructed (see Description and History).

The design of the proposed garages matches those approved in 2003 and is similar to the individual garages on the estate. Those adjacent to Block 9 are tucked away into the corner of the development and will have no impact on the character or appearance of the area. Those to the west are more prominent as they are located in front of Block 4. Nevertheless, they line through with an existing garage and fit in with the style and form of the overall development. The proposals are in keeping with the character and appearance of the area.

b) It is evident that whilst the ownership of the land may have changed, local residents have been using these spaces for parking, and in planning terms the area remains an ancillary parking area to the approved flats, and essential to the requirements of residents therein. If the garages are leased to people living outwith the estate this could lead to pressure for on-street parking from existing residents, and additional traffic generation from incoming users. The scheme as a whole would also then fail to meet appropriate parking standards. The applicant has agreed to a restriction to use by the residents in the scheme.

Transport has not raised an issue with regard to road safety. Net parking on site should remain unaltered, subject to parking being restricted to residents.

As the two access roads are unadopted, transport have requested that they are brought up to RCC standards. Improvements are also required to the existing footpaths which, in each site, are likely to result in the loss of one garage from the proposal. As the access roads are not shown as part of the application site, these works will have to be carried out as part of a legal agreement. Residents are also concerned that the garages in front of Block 4 will restrict pedestrian access to the existing refuse container at the south west end of the site. Removal of one of the garages from this row should also

allow for the creation of an access to this site, again as part of a legal agreement.

Subject to the appropriate legal agreement, access arrangements to the site will be acceptable and the proposals will not be detrimental to road safety. The applicant has agreed to the principle of such a requirement.

c) In the previous recent consent, use of the garages was restricted to domestic purposes only, to ensure that they can only be used for storage of private vehicles or other domestic storage by private individuals. This effectively restricts users to those resident in the estate.

The same restriction as applied to the 2003 consent is recommended to prevent business/commercial use of the lock-ups. With this consent appropriately conditioned to retain the area as ancillary parking, the proposals should not impact upon existing residential amenity.

The garages are either adjacent to side windows or over 12m away from front facing windows. In these locations the council's daylight and overshadowing standards are complied with.

The proposals will not be detrimental to residential amenity in policy terms.

d) There are several trees close to the application sites, particularly in the south east corner, adjacent to the cycle track and walkway. The applicant has submitted a tree survey showing that of the 11 trees in the vicinity, two will need to be removed for construction purposes. These are both silver birch. These and the other adjacent trees (mainly birch, elm and sycamore) are of average quality but not worthy of protection. In addition to the two to be removed several others may suffer during construction. The applicant has agreed to replant if required. The canopies of five will significantly overhang the garages. Planting of a total of seven new trees would therefore be reasonable. As this will require to take place on adjacent land owned by Culture and Leisure, this will have to form part of a legal agreement. Subject to this agreement the impact on the surrounding landscaping is acceptable.

Conclusion

Subject to a legal agreement covering restriction of occupancy, transport improvements and tree planting, and conditions covering the maximum number of garages and restrictions on further tree removal, the proposed development is acceptable and will not be detrimental to residential amenity or road safety.

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



PP **Alan Henderson**
Head of Planning and Strategy

Contact/tel	Wendy McCorriston - Alternate Mondays, Tuesday And Thursday on 0131 529 3594 (FAX 529 3706)
Ward affected	06 - Davidsons Mains
Local Plan	North West Edinburgh
Statutory Development Plan Provision	Mainly Residential
Date registered	5 October 2004
Drawing numbers/ Scheme	02-04 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, Graham Dixon on 0131 529 3519. Email: graham.dixon@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 Full Planning Application
Application Address: Silverknowes Neuk
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Proposal: Proposed garages (single car, single storey).
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Consultations, Representations and Planning Policy

Consultations

Transport

No objections, subject to the following conditions:

- 1. 2m wide footway being constructed adjacent to garage 'a' near to block 4. This is to turn to the existing footway.*
- 2. Access to garages outside block 4 being formalised i.e., designating parking spaces*
- 3. Access to south-east garages to be made good. KEEP CLEAR markings to be painted at the access to the garages to prevent blockage.*
- 4. Car parking in front of block 9 to be designated, ensuring safe access to the south-east garages.*

Representations

Following neighbour notification, 22 letters of objection were received from local residents. The material grounds of objection are:-

1. Commercial operation in a quiet residential area. The plots were meant for individual garages for use by local residents.
2. Loss of residential amenity by reason of noise and traffic movement.
3. Loss of parking spaces.
4. Traffic congestion.
5. The unadopted access roads will be subject to more wear and tear than is usual.

6. The visual impact of garages in front of Block 4.
7. Loss of light.
8. Restrictions on pedestrian and emergency access to Block 4.
9. Impact on mature trees.
10. Security concerns, particularly for children and the elderly.
11. Impact on drainage which goes under the access roads.

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

The application sites lie within a Housing and Compatible Uses policy area in the adopted North West Edinburgh Local Plan and in the Urban Area in the Draft West Edinburgh Local Plan.

Relevant Policies:

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

Policy H4 requires new development to be sympathetic in scale and density with its surroundings. In conservation areas and defined "areas of interest" in particular, special care is required to protect local character and amenity.

Policy H5 states that within areas of predominantly residential character, the establishment or extension of a non-residential use will not be permitted if likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

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

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 H12 states that development which would result in an unacceptable reduction in amenity for residents in the locality will not be permitted.

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Conditions/Reasons associated with the Recommendation

Recommendation

To recommend that this application be **Granted**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Prior to the issue of consent, the developer shall enter into an appropriate legal agreement to ensure the following:
 - (i) The access roads to the approved garages are constructed to, or brought up to, RCC standard.
 - (ii) At the western site :- the construction of a 2.0m wide footway in place of/adjacent to plot "a", linking in with the existing footway and the creation of a 2m wide footpath in the region of plots f to i to give access to the existing refuse container. (Repositioning of the container will be considered, provided a suitable alternative site can be found).
At the eastern site:- the construction of a 2m wide footway on the east side of the access road.
 - (iii) Planting of seven new trees on council owned land adjacent to the eastern part of the application site.
 - (iv) The garages hereby approved shall be used solely for domestic purposes by the residents of Silverknowes Neuk and shall not be used for commercial purposes or rented to parties outwith that area.
3. The number of single garages hereby approved being limited to a maximum of 24 (garages on both plots marked "a", adjacent to block 4 and block 9, being deleted from the approved plan to allow for footpath improvements).

4. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the prior written consent of the Head of Planning & Strategy.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To ensure that the proposals will not be detrimental to required parking ratios, road safety or the landscape character of the area.
3. To ensure the proposals will not be detrimental to pedestrian safety.
4. In order to retain and/or protect important elements of the existing character and amenity of the site.

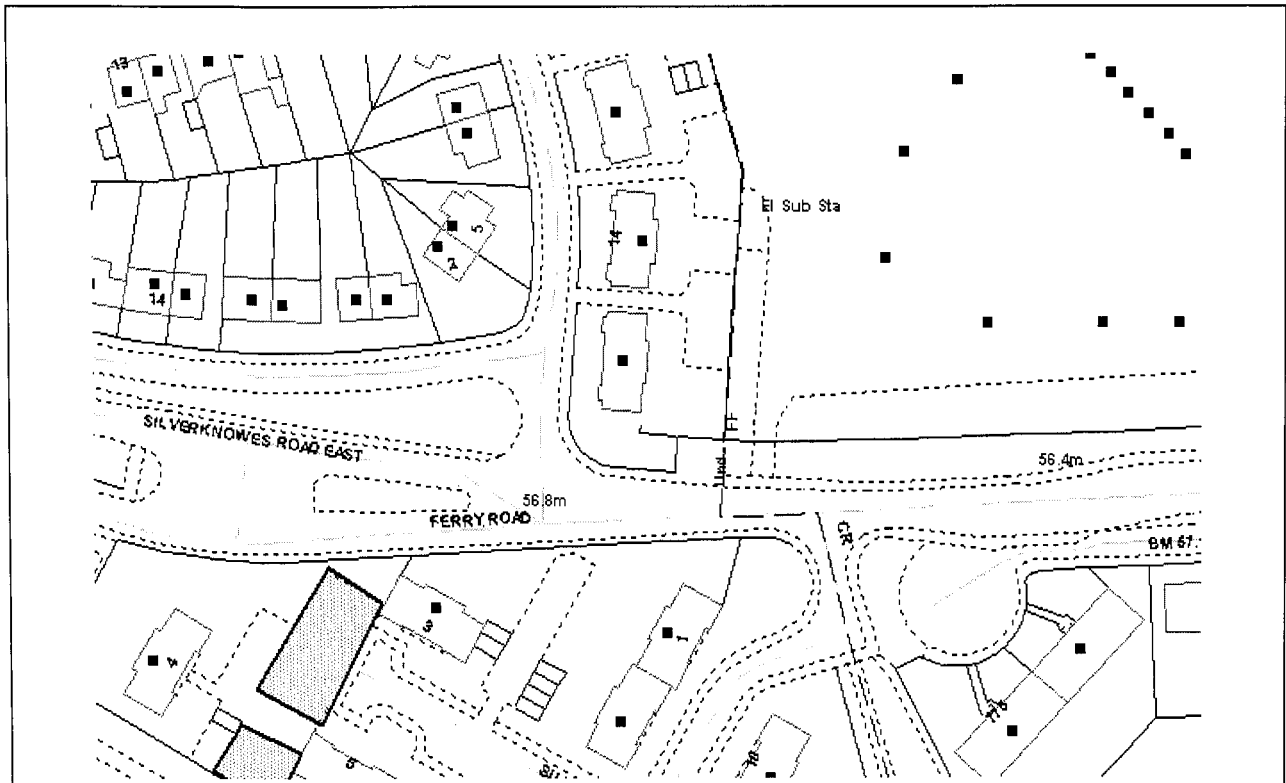
End

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Location Plan



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