

**Full Planning Application 07/03245/FUL
at
9B Wester Coates Gardens
Edinburgh
EH12 5LT**

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

DEPARTURE FROM THE DEVELOPMENT PLAN

This development proposed by this application is a departure from the development plan:

Whilst the proposal involves the loss of a dwelling departing from local plan policy, the proposal will reinstate the original character and appearance of the conservation area and improve the privacy and overlooking issues for neighbours. In this instance a departure is justified.

1 Purpose of report

To consider application 07/03245/FUL, submitted by Mr Sellar + Ms McNeill. The application is for: **Demolition of existing house and construction of domestic garage**

It is recommended that this application be **GRANTED** subject to the conditions below.

2 The Site and the Proposal

Site description

The application property comprises a 1 1/2 storey modern lodge building constructed in a traditional style in 1996. It is located within the grounds of an earlier 2-storey villa.

The existing dwelling is orientated to the east, fronting onto the Villa located at 9 Wester Coates Gardens and at present overlooks 9 Wester Coates Gardens from the first floor level.

The surrounding area is predominantly residential and is characterised by large stone built properties set in spacious mature gardens.

Neither property is listed.

The applicant has submitted a detailed letter in support of their application.

This property is located within the Coltbridge and Wester Coates Conservation Area.

Site History

May 1997 - Application ref. no. 96/00301/FUL - planning permission granted to erect lodge house

October 1998 - Application ref. no. 98/00537/FUL - planning permission granted to alter boundary wall to form pedestrian access (as amended)

December 2000 - Application ref. no 00/02383/FUL - planning permission granted for the installation of conservation style rooflights (in retrospect)

July 2001 - Application ref. no. 01/00521/FUL - planning permission refused for access/drive for off-street parking.

November 2003 - Application ref. no. 03/02642/FUL - planning permission refused for house extension

07/03242/CON - Concurrent application pending for the 'Demolition of existing house'

Description of the Proposal

It is proposed to demolish the existing dwelling and remove the associated fencing, integrating the site with the grounds of the villa at 9 Wester Coates Gardens. The demolished dwelling will be replaced by a detached single

storey garage for use by 9 Wester Coates Gardens, the adjacent property to the east. The single storey garage will measure 6.05m x 3.88m will be constructed in a traditional style with natural stone and slate to match the original villa. The existing pedestrian gate leading onto Wester Coates Gardens road will be replaced with a wrought iron fixed panel for security.

3 Officer's Assessment and Recommendations

Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposed loss of a house is acceptable;
- b) The scale and design of the garage is acceptable and preserves or enhances the character or appearance of the conservation area;
- c) The proposals are detrimental to residential amenity or road safety.

a) Whilst the proposal involves the loss of a dwelling, departing from local plan policy H6 and finalised policy HOU6, the proposal will reinstate the original feu and thus enhances the character and appearance of the conservation. It also improves privacy and overlooking issues to neighbours.

Given the overall benefit in visual appearance and amenity the proposal will offer, a departure is justified in this instance. The proposed garage will be ancillary to the use of the original villa and is acceptable in principle.

b) The character of the Coltbridge and Wester Conservation Area is described in the Central Edinburgh Local Plan as follows:

"The area contains two distinct character zones: the streets of Victorian and Edwardian villas to the west of Donaldson's School and the tenements and

stone built terraces of Roseburn further west. Murrayfield House (1735) is an important listed building (category 'A'), the setting of which is defined by the surrounding streets of terraced housing. More recent housing constructed in Wester Coates, although not visible from the main A8, has led to an erosion of character."

The replacement one storey garage will be less onerous in respect of its impact on the setting of the earlier Villa and within its surroundings and would serve to enhance the character of the surrounding conservation area. Further, the removal of the fence dividing the garden ground will also reinstate the earlier larger plot for the villa, restoring its original feu. The design, positioning, materials and scale of the proposed garage are compatible with the character and appearance of the conservation area and would appear subservient to the original Villa.

The proposal enhances the character and appearance of the conservation area.

c) The proposed garage would be ancillary to the use of the main villa and will not impinge on the privacy or amenity of neighbouring properties. Indeed the proposal would overcome the existing overlooking and privacy issues to the adjacent property at 9 Wester Coates Gardens. Transport have not raised any objections in respect of parking or highway safety.

The proposal will have no adverse effect on residential amenity or road safety.

In conclusion, a departure from the development plan is justified and the proposals comply with the relevant non-statutory guidelines, enhance the character and appearance of the conservation area and would not prejudice residential amenity or road safety. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to a condition requiring details of the wrought iron panel.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Carolyn Lee on 529 4279
Ward affected	A06 - Corstorphine/Murrayfield (NEW)
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	27 July 2007
Drawing numbers/ Scheme	01-03 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, Ian Dryden on 0131 529 3464. Email: ian.dryden@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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 9B Wester Coates Gardens
Edinburgh
EH12 5LT
Proposal: Demolition of existing house and construction of domestic garage
Reference No: 07/03245/FUL

Consultations, Representations and Planning Policy

Consultations

Edinburgh Transport

No objections

Historic Scotland

No objection

The proposal would see the demolition of a 1 1/2 storey house situated within the grounds of 9 Wester Coates Gardens. This unlisted dwelling was constructed in 1996 as a modern interpretation of a lodge building. The demolished building would be replaced by a low level, traditionally styled, single stone garage with a slate roof and timber doors. The replacement building will have less impact on the setting of the earlier villa and appears to preserve the character of the surrounding Conservation Area. The removal of the fence dividing the garden ground will also reinstate the earlier, larger plot for the villa and this should be of benefit.

Representations

This application was advertised on 10.08.07. One letter of support was received from a neighbour on the grounds that the existing dwelling is not compatible with the character of the conservation area and that the garage will be a sympathetic replacement.

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

CENTRAL EDINBURGH LOCAL PLAN - Housing and Compatible Uses, Conservation Area

FINALISED CITY OF EDINBURGH LOCAL PLAN - Urban Area, Conservation Area

Relevant Policies:

Relevant policies of the Central Edinburgh Local Plan

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy H6 (HOUSING RETENTION) establishes a presumption against proposals for change of use or redevelopment which would result in a loss of residential accommodation.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Relevant policies of the Edinburgh City Local Plan

Policy Env 4 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

Policy Env 5 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

Policy Hou 6 (Loss of Housing) identifies the circumstances in which the change of use of an existing dwelling to another use will be permitted.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Tra 3 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Relevant Non-Statutory Guidelines

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

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

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended 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. Details of the wrought iron panel proposed within the front boundary shall be submitted to and approved in writing by the Head of Planning and Strategy prior to the removal of the existing pedestrian gate.

Reasons

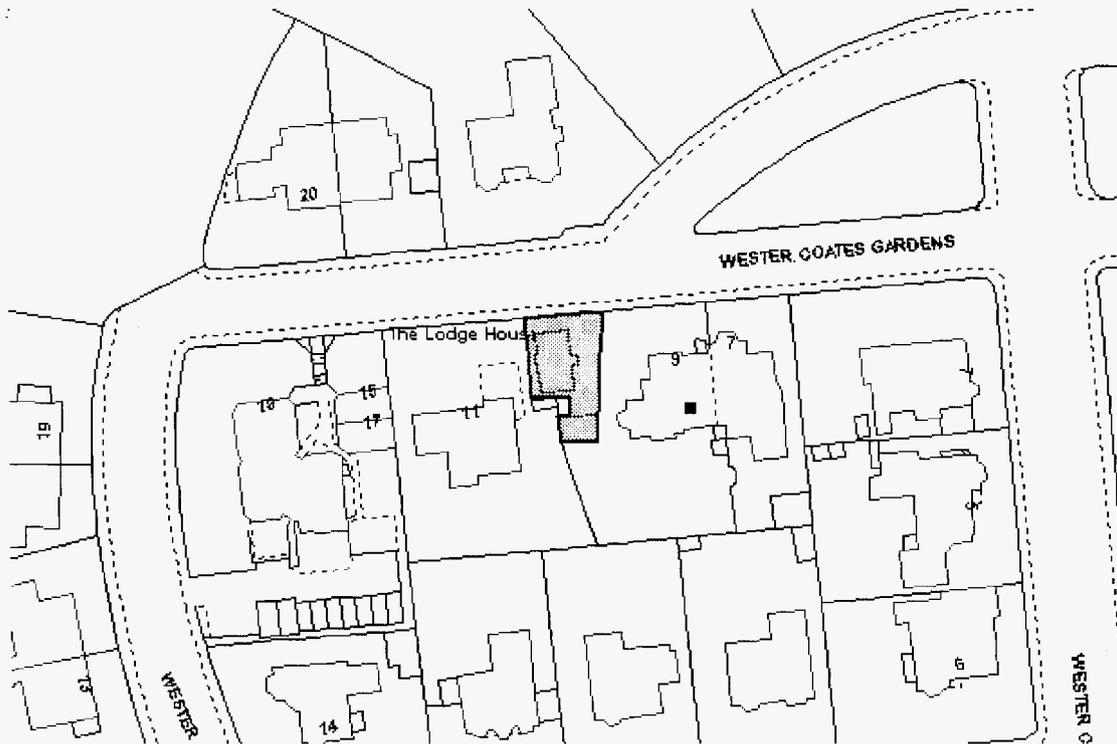
1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the character of the conservation area.

End

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Location Plan

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