

Outline Planning Application
at
1 Chancelot Grove
Edinburgh
EH5 3AA

Development Quality Sub-Committee
of the Planning Committee

3 September 2003

Proposal: **Erection of two dwelling houses and associated access arrangements**
Applicant: Mr Neill + Mrs Steven
Reference No: 03/01713/OUT

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The approved development being commenced no later than five years from the date of Outline Permission or two years from the date of final approval of any reserved matter(s), whichever is the later.
2. Before any work on the site is commenced, details of the undernoted reserved matters shall be submitted to and approved in writing by the planning authority; the submission shall be in the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s. RESERVED MATTERS: siting, design, external appearance and materials, parking and access, landscaping.
3. Prior to the commencement of work on site,
 - a. A site survey (including borehole 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 programming, shall be submitted to and approved in writing by the Head of Planning;

4. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.
5. All windows with a view of Ferry Road will be fitted with acoustic double glazing, to the satisfaction of the Head of Planning.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to enable the planning authority to consider this/these matter/s in detail.
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 protect the amenity of the occupiers of the development.

2 Main report

Site description

The site is garden ground to the north of flatted properties on Chancelot Grove. It is on the eastern corner of the junction with Ferry Road. It is 0.046 hectares.

To the immediate east is an access to Council allotments. Beyond this access is a disused railway line which travels under Ferry Road and continues north. To the north east is Holy Cross Primary School. On the west side of Chancelot Grove is a modern residential development of four houses. All other surrounding properties are residential.

Site history

There is no relevant planning history for the site.

Related History:

February 1996 Planning permission refused for the erection of 6 flats on the opposite corner of Chancelot Grove after site visit. The subsequent appeal was dismissed (A 01735 94)

July 1997 Planning Permission granted for the erection of four dwelling houses on the same site. This development has now been completed. (A01842 96)

Development

It is proposed to erect two dwelling houses. Although this is an outline application, the submitted drawings show the indicative position of the semi-detached houses and the parking and access arrangements. An indicative site section shows the relative height of the proposed building.

Consultations

Transport

No objections.

Environmental and Consumer Services

No objections, subject to the following conditions:

1. All windows with a view of Ferry Road will be fitted with acoustic double glazing, to the satisfaction of the Head of Planning.
2. Prior to the commencement of work on site,
 - a) A site survey (including borehole 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 programming, shall be submitted to and approved in writing by the Head of Planning;
3. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule to the satisfaction of the Head of Planning.

Representations

Twelve letters of representation have been received, from Councillor Munro and eleven residential neighbours, six of which are pro forma letters. The following points were raised:

1. Out of character for the street.
2. Parking is already a problem in the street.
3. Houses would reduce driver visibility turning onto Ferry Road.
4. Loss of open space, albeit private, and loss of wildlife habitat.
5. Daylighting and overshadowing.
6. Privacy.
7. Over-development.

Policy

The site is in the Central Edinburgh Local Plan area under a Housing and Compatible Uses land use designation.

Relevant Policies:

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

Non-statutory guidelines on 'HOUSING DEVELOPMENT IN GARDEN GROUNDS' supplement local plan housing, conservation and design policies, and provide additional guidance on this subject.

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

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 principle of the proposed use is acceptable,
- b) whether the proposal will have a detrimental effect on the character of the area,
- c) whether the proposals are detrimental to residential amenity or highway safety.

a) The Local Plan designation is for Housing and Compatible Uses. The residential nature of the proposal is therefore acceptable in principle.

b) The indicative dwellings are shown as following the building line of the recently constructed dwelling houses on the opposite corner of Chancelot Grove. Erecting dwellings here would not go against the urban grain of the area and would address Ferry Road, lining the street as per surrounding properties.

The loss of the garden ground, albeit a fairly open corner site, would not be detrimental to the character of the area.

The indicative dwellings would leave sufficient private amenity ground surrounding the building.

The proposal is not considered to be over-development and is in character with the area as a whole. In particular, the proposal would reflect the scale and form of the development recently completed on the opposite corner.

c) The indicative houses are shown as being between, at a perpendicular measurement from the rear wall of the houses, 9 and 6 metres from the boundary with the flats at number 1 Chancelot Grove. Given these indicative measurements, and the angles that would occur between windows of the existing flats and proposed dwellings, it is considered that acceptable privacy distances can be achieved.

Overshadowing would occur to the north east corner of the gardens belonging to the flats. This is using the footprint and height of the indicative dwellings. The site is to the north of the flats and it is considered that any overshadowing would be minimal and acceptable.

Using the 25 degree method, there would be no detrimental loss of daylighting to the adjacent flats.

Access and parking arrangements can be satisfactorily accommodated on the site. It is not considered that two new houses will generate significant levels of traffic such that highway safety will be affected.

In conclusion, the principle of a residential development is acceptable on this site and this Department is satisfied that a development of appropriate scale can be accommodated without prejudicing neighbouring amenity or highway safety.

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

FURTHER ASSESSMENT

Committee continued consideration of this application at the meeting on 3 September 2003 as the Committee was minded to refuse the application contrary to recommendation. This was done in accordance with agreed procedures in order that the implications of such a decision might be considered prior to a final decision.

The Committee was concerned that, having visited the site, the site was much more constrained in terms of its size, orientation and relationship to the existing dwellings, than the one on the opposite corner, where development had taken place. The Committee did not feel that the site could be developed without significant impact on the amenity of neighbouring residents.

The Committee was minded to refuse consent on the grounds that:

(1) the development would constitute over-development of the site with inadequate space about the building, to the detriment of the amenity of neighbouring residents, and

(2) the proposals would not respect the established character of the area or the constraints of the site, contrary to Central Edinburgh Local Plan Policies CD11 and CD15.

It is considered that the Committee has clearly set out its concerns; that the reasons given are sufficiently clear and precise; and that there are no implications to which the Committee's attention needs to be drawn.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel David Shepherd on 0131 529 3956 (FAX 529 3717)

Ward affected 21 -Harbour

Local Plan Central Edinburgh Local Plan

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

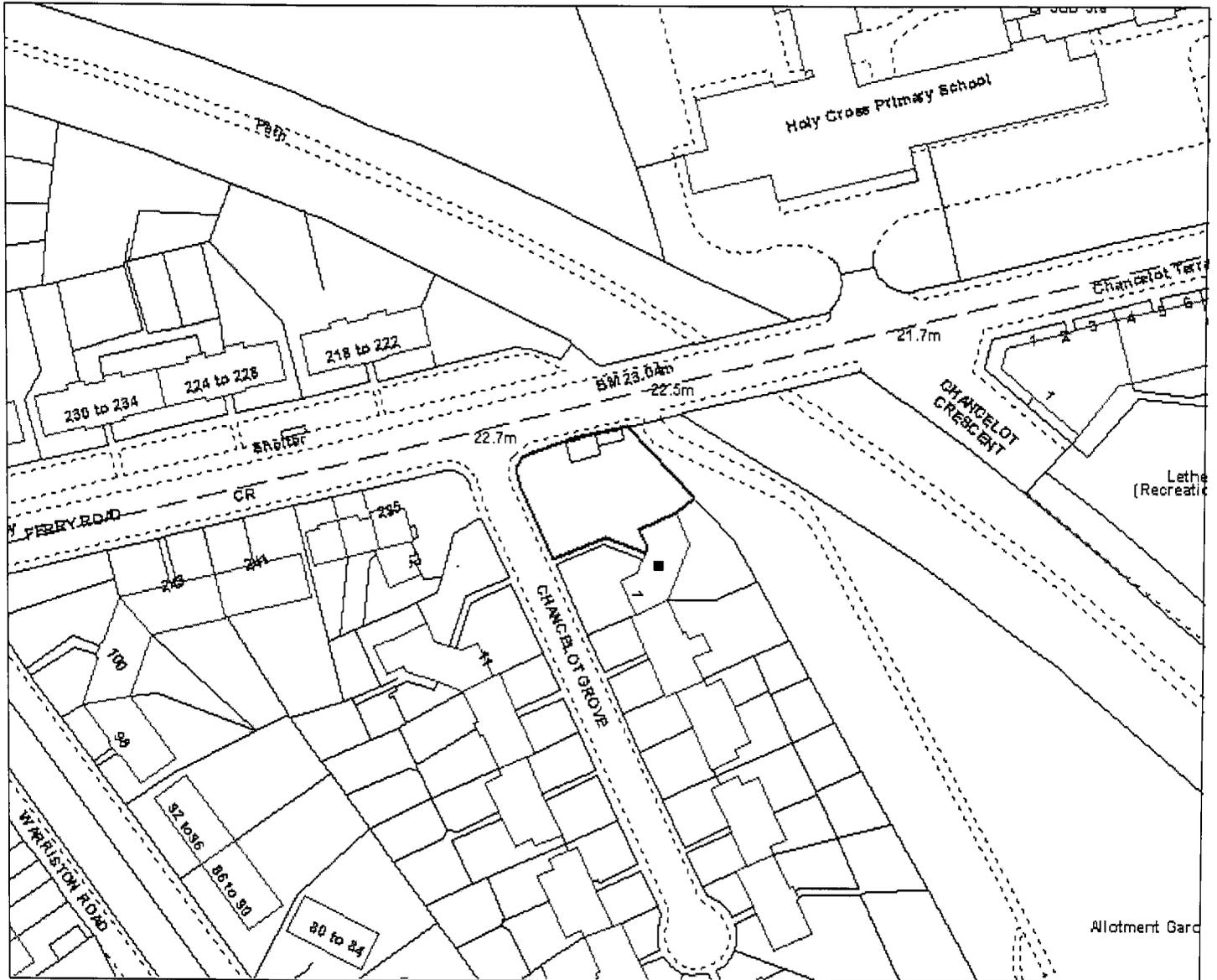
File

Date registered 12 May 2003

**Drawing numbers/
Scheme** 1

1 CHANCELOT GROVE

03/01713/OUT



Legend

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Organisation	CITY OF EDINBURGH COUNCIL
Department	CD - PLANNING & STRATEGY
Comments	Not Set
Date	04 September 2003
SLA Number	