

**Planning Permission 12/02811/FUL
at
11 Rosefield Street
Edinburgh
EH15 1AY**

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

1 Purpose of report

To consider application 12/02811/FUL, submitted by Mr Thomson + Ms Cairns.. The application is for: **Demolition of existing dwelling and construction of new dwelling.**

It is recommended that this application be **Granted** by Committee.

2 The Site and the Proposal

Site description

The proposal site is an existing one and a half storey dwellinghouse with single storey rear and side extensions, which is located at the end of Rosefield Street. The site constitutes the end of Rosefield Street cul-de-sac with taller two storey flatted dwellings on the north side of the street and lower one storey terraced dwellings on the south side. To the rear of the site lies the Figgate Burn beyond which are the rear gardens of terraced dwellinghouses on Adelphi Place.

The proposal site lies within an area of mixed use with a predominantly residential nature.

This property is located within the Portobello Conservation Area.

Site History

16 August 2011 – Application for demolition of existing dwelling and construction of new dwelling withdrawn (11/01828/FUL).

22 August 2012 - Application for demolition of existing dwelling and construction of new dwelling withdrawn (11/03909/FUL).

Pre-Application Process

Extensive pre-application discussions were undertaken concerning both the principle of demolition and the proposed design.

Description Of The Proposal

It is proposed to demolish the existing one and a half storey dwellinghouse with single storey rear and side extensions, and to replace it with a one and a half storey dwellinghouse with a single storey flat roofed element to the side and rear. The height of the proposed house will be 7m, matching that of the existing, and the overall area will be 174.26 sq m. The materials proposed are render walls with features in natural stone, timber framed double glazed sash and case windows, and a natural slate roof with a zinc ridge and lead flashings.

The applicant has submitted a design statement, a conditional assessment, a letter confirming inability to gain insurance, a letter confirming inability to obtain mortgage, and a bat survey, all of which are available to view via the Planning and Building Standards Online Services.

3. Officer's Assessment and Recommendation

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 principle of demolition is acceptable;
 - b) the proposal is acceptable in design terms and will maintain or enhance the character of the conservation area;
 - c) the proposal will result in an unreasonable loss of privacy or natural light to neighbouring properties; and
 - d) the proposal will provide adequate amenity to meet the needs of future residents.
 - e) the proposal will have increase the risk of flooding or be at risk of flooding itself.
- a) The demolition of an unlisted building within a conservation area, in accordance with policy Env 5, will only be allowed in exceptional circumstances. The proposal must be considered under policy Env 2 in conjunction with Env 5, essentially meaning that it must be assessed in the same manner as the demolition of a listed building. The Scottish Historic Environment Policy (2011) sets out that such applications for demolition will be assessed against;
- a) the importance of the building;
 - b) the condition of the building;
 - c) the economic viability of reusing the building; and
 - d) the wider public benefits.

To obtain consent for demolition the proposal will need to meet at least one of the above tests. It is considered that the existing dwellinghouse makes a positive contribution to the character of the conservation area and demolition is proposed is on the grounds that the condition of the building is such that to repair is not economically viable. In support of the view that the repair of the building is not economically viable the applicant has submitted supporting information including a conditional assessment conducted by certified civil and structural engineers, confirmation on the inability to obtain a mortgage provided by a mortgage advice service, and a letter from an insurance brokers confirming the inability to gain insurance on the property. The evidence submitted demonstrates that the building is in poor structural condition. The aforementioned conditional assessment concludes that the measures required to repair the existing building are tantamount to demolition and rebuild, and that it would be more cost effective to demolish the existing structure and build a new one off more suitable foundations.

An engineer from within the Council reviewed the conditional assessment and the conclusions made, and concurred with this assessment. Therefore, based on a review of the evidence submitted, it is concluded that demolition of the existing building is justified on the grounds that the repair of the building is not economically viable.

Where there is a suspicion of the presence of a protected species, such as bats, it is necessary to assess the issue from the outset. It is not appropriate to deal with such issues through the use of planning conditions. A bat survey conducted by an ecological consultant was submitted by the applicant. This survey concluded that as no evidence of bats roosting within the existing building was found there is no reason for the proposed works to take any account of bats.

The demolition of the existing building is acceptable in principle provided that the proposed replacement is deemed acceptable.

b) The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials.

The proposed dwellinghouse closely resembles the existing in terms of design size and massing, with the bulk of the property taking the form of a one and a half storey dwelling, with a single storey flat roofed element to the side and single storey pitched roof to the rear. The gross floor area of the proposed building, at approximately 174 sq m, is only a marginal increase on the 157 sq m of the existing, and constitutes a total increase in site coverage of 7%. The height of the proposed, at 7m, matches that of the existing and the eaves height of 4.65m is only a marginal increase on the 4.43m of the existing. The overall height and massing of the proposed dwellinghouse will provide a visual link between the taller flatted dwellings on the north side of the street and the lower terraced dwellings on the south side, in much the same way that the existing does. The size and mass of the proposal is only a minor increase on the existing and does not constitute over-development of the site.

The fenestration, detailing and roof design largely resembles the existing, with relatively minor changes to the roof pitch and eaves height, and as such the proposal will not appear incongruous within the streetscape. The lack of chimneys is deemed acceptable given that the proposal is a contemporary dwellinghouse and as a pastiche development is not desirable. In terms of the materials proposed, a roof of natural slate with a zinc ridge and flashings in lead is in keeping with the local character, as are the double glazed timber framed sash and case windows. The use of a high quality render, with features in natural stone, is deemed acceptable in this case and is indeed an improvement on the pebble-dashed existing building. The proposed stone detailing will provide a visual link with the adjoining stone built properties. The use of natural stone in the entire front elevation would be excessive. A condition requiring samples of materials is recommended in order to ensure that the materials used befit the conservation area status of the site and its surroundings. The materials proposed are deemed acceptable subject to a condition stating that detailed specification of all the proposed external materials shall be submitted and approved before work is commenced on site.

The existing dwelling does not provide any off-street parking and as the proposal closely matches the existing in terms of size no additional off-street parking is required.

The quality of the proposal in terms of design and form, choice of materials and positioning is such that the character and appearance of the conservation area will be maintained.

c) The proposal will not result in an unreasonable loss of privacy to neighbouring properties. The ground floor windows on the rear elevation of the proposed are further from the rear garden boundaries of the properties on Adelphi Place than those of the existing, and visual screening will be provided by the proposed rear boundary fence. With regards to the proposed windows at first floor level none will fall within the minimum 18m window to window distance stipulated within the non-statutory guidelines. Only a relatively small area of the rear garden of 37 Adelphi Place will fall within the 9m window to boundary distance stipulated by the guidelines as to when additional screening may be needed. At the closest point the rear boundary of 37 Adelphi Place is approximately 7.5m from a proposed first floor window. Any loss of privacy associated with this is deemed marginal given that the properties in question are located within a built up urban environment and any marginal loss of privacy within the rear garden area which will occur is deemed not to be unreasonable. The relevant non-statutory guidelines state that privacy standards may be relaxed where the pattern of the townscape indicates that buildings should be positioned closer together.

The minimal increase in height and change of roof pitch of the proposed dwelling from that of the existing will not result in any unreasonable loss of natural light to neighbouring properties.

d) With a gross internal floor area of 174.26 sq m and a rear garden of approximately 86 sq m the proposal falls comfortably above the minimum requirements for a house of this size, set out in the Edinburgh Standards for Housing. The proposal will provide adequate amenity levels to meet the needs of future residents.

e) Given that the proposal is to replace an existing dwellinghouse with a new one of comparable size and positioning it is not felt that there will be any significant implications with regards to flooding.

In conclusion the proposal complies with the development plan and the relevant non-statutory guidelines. The proposal is acceptable in principle, will maintain the character and appearance of the conservation area, will not result in an unreasonable loss of privacy or natural light to neighbouring properties, and will provide adequate amenity levels to meet the needs of future residents. There are no material considerations which outweigh this conclusion.

As more than six material letters of objection have been received and the recommendation is for approval a Committee decision is required.

It is recommended that the committee approves this application subject to the recommended conditions.

REASON FOR DECISION

The proposal is in accordance with the Edinburgh City Local Plan and the Councils Non-Statutory Guidelines. The proposal is acceptable in principle, will maintain the character and appearance of the conservation area, will not result in an unreasonable loss of privacy or natural light to neighbouring properties, and will provide adequate amenity levels to meet the needs of future residents. There are no material considerations which outweigh this conclusion.

John Bury
Head of Planning & Building Standards

Contact/tel	Colin Bryans on 0131 529 4279
Ward affected	A17 - Portobello/Craigmillar
Local Plan	
Statutory Development Plan Provision	
Date registered	15 August 2012
Drawing numbers/ Scheme	01-10 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Standards Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Paul Devaney, 0131 529 3911, paul.devaney@edinburgh.gov.uk

If this application is not identified on the agenda for presentation and you wish to request one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

Appendix A



Application Type Planning Permission
Application Address: 11 Rosefield Street
Edinburgh
EH15 1AY

Proposal: Demolition of existing dwelling and construction of new dwelling.
Reference No: 12/02811/FUL

Consultations, Representations and Planning Policy

Consultations

None.

Representations

The application was advertised on 24 August 2012. Nine representations were received, seven objecting to the proposal and two making general comments. General comments were received from the Architectural Heritage Society of Scotland and the Cockburn Association. Three objections were received from neighbouring residents, and one each from the Portobello Community Council, the Portobello Amenity Society, the Brightons and Rosefield Residents Association, and a local MP. The material reasons for objecting concerned the principle of demolition (addressed in section a), design issues chiefly materials, the lack of chimneys and potential overdevelopment of the site (addressed in section b), a potential unreasonable loss of privacy to neighbouring residents (addressed in section c), and the possibility that bats may roost within the existing building (addressed in section a).

Matters raised concerning the control of demolition and construction traffic are not material planning considerations and cannot be controlled through the use of planning conditions.

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 proposal site is located in an urban area and within the Portobello Conservation Area, as designated by the Edinburgh City Local Plan.

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Env 5 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

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

Relevant Non-Statutory Guidelines

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

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

Non-statutory guidelines 'The Edinburgh Standards for Housing' sets out principles and guidance whose aim is to achieve high quality, successful and sustainable residential developments.

Policy Env 16 (Species) sets out species protection requirements for new development.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Policy ENV1C states that local plans should include policies for protecting and enhancing International and National Historic or Built Environment Designations.

Appendix B



Application Type Planning Permission
Application Address: 11 Rosefield Street
Edinburgh
EH15 1AY

Proposal: Demolition of existing dwelling and construction of new dwelling.
Reference No: 12/02811/FUL

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Granted by Committee, subject to the conditions, reasons and informatives stated below.

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning and Building Standards before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. This consent is for planning permission only. Work must not begin until other necessary consents, eg listed conservation area consent, have been obtained.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

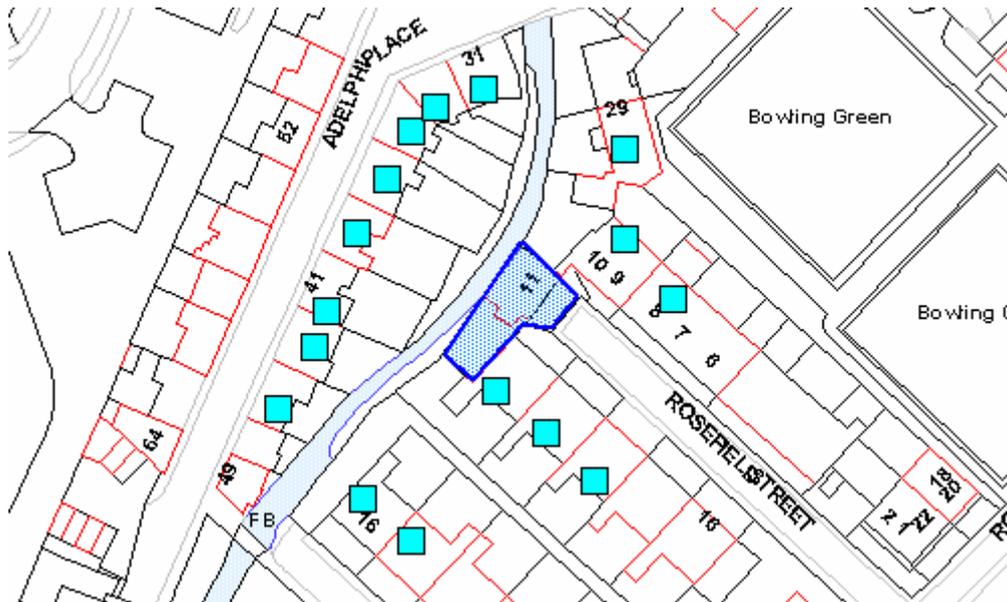
End

Appendix C

Application Type Planning Permission

Proposal: Demolition of existing dwelling and construction of new dwelling.

Reference No: 12/02811/FUL



Location Plan

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