

# Development Management Sub Committee

Wednesday 11 September 2013

**Application for Planning Permission 12/04396/FUL  
At 2, 3, 4, 5, 6, Barnton Park Wood, Edinburgh  
Demolition of five single storey dwellings and  
redevelopment of the site with 8 new build residential  
dwellings.**

Item number	4.1
Report number	
Wards	A01 - Almond

## Links

<a href="#">Policies and guidance for this application</a>	NSG, NSMDV, NSP, NSGESS, NSGD02, LPC, CITD1, CITD3, CITD4, CITD5, CITE12, CITE16, CITH1, CITH3, CITH4, CITT4,
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## David R. Leslie

Acting Head of Planning and Building Standards

Contact: David McFarlane, Planning Officer  
E-mail:david.mcfarlane@edinburgh.gov.uk Tel:0131 529 3512

# Executive summary

## **Application for Planning Permission 12/04396/FUL At 2 , 3, 4, 5, 6 , Barnton Park Wood, Edinburgh Demolition of five single storey dwellings and redevelopment of the site with 8 new build residential dwellings.**

### Summary

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The proposal complies with the development plan and the infringement regarding the number of vehicle driveways and their design in relation to road safety is justified in this case. The proposal will not result in the loss of neighbouring amenity and acceptable levels of amenity will be afforded to future occupiers. The proposal will not adversely affect protected trees and protected species subject to conditions relating to a precautionary approach during construction being taken and protection to trees. The proposal is acceptable in this location and is of an appropriate scale, form and design subject to a condition requiring details of materials. This application was assessed in terms of equalities and human rights, no impact was identified. There are no other material considerations.

### Recommendations

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It is recommended that this application be Granted subject to the details below (in section 3 of the main report).

### Financial impact

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There are no financial implications to the Council.

### Equalities impact

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The application has been assessed and has no impact in terms of equalities or human rights.

### Sustainability impact

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The proposal re-uses brownfield land within the city for housing and layout can be justified in terms of the Edinburgh Design Guidance.

### Consultation and engagement

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#### Pre-Application Process

Pre application advice was positive in relation to the principle of replacing with the houses with a residential development of appropriate design and detail

### **Publicity summary of representations and Community Council comments**

Five representations objecting to the proposal have been received, one of which is non material. The material points raised are as follows:-

- Road layout inadequate
- Overshadowing to neighbouring properties
- Adverse impact upon trees
- Adverse impact upon European protected species
- Noise disturbance
- Increase in pollution
- Site works causing disruption to residential amenity
- Loss of daylight
- Loss of privacy
- Loss of security
- Damage to property

Non material comments related to concerns about the condition of the existing properties and their impact upon house values.

A full assessment of the representations can be found in the main report in the Assessment section.

### **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## **Application for Planning Permission 12/04396/FUL At 2, 3, 4, 5, 6, Barnton Park Wood, Edinburgh Demolition of five single storey dwellings and redevelopment of the site with 8 new build residential dwellings.**

### **1. Background**

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#### **1.1 Site description**

The site has an area of 0.43 hectares and comprises a short cul-de-sac of five bungalows forming part of a small group of eight 1970s period dwellings. The original single-storey units have low, monopitched roofs and are finished in brickwork and roughcast. The cul-de-sac carriageway is 5.0 metres wide with side footpaths of 2.0 and 0.5 metres in width.

The site is bounded by mature woodland to the south and east. Several trees abut or overhang the site and a few are also located within the site (no.2). These trees are protected by a Tree Preservation Order. A publicly-used, private footpath links the cul-de-sac to a woodland walk.

To the west of the site, there is a free standing, four-storey linked-block of modern flats. This L-shaped block has forecourt (north side) parking and is set within open wooded grounds. The Barnton Park estate is comprised largely of two-storey family houses of 1960s date but there are further blocks of flats in a western continuation into Barnton Grove.

#### **1.2 Site History**

20 February 2008: outline consent granted for a proposal to demolish existing houses and develop the site for 12 houses (as amended) (07/02037/OUT). The consent has not been issued as the applicants never concluded a legal agreement. The proposal achieved this level of development via a new road layout.

9 March 2007: outline proposal to demolish the existing houses at 2-6 Barnton Park Wood and erect a new housing development of 9 houses and 33 flats was withdrawn (06/01503/OUT).

### **2. Main report**

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#### **2.1 Description Of The Proposal**

The amended proposal is to demolish the existing five houses and construct a development of eight detached houses. There are three house types with the following accommodation:-

- 5 no. house type B: 4 bedroom (188 square metres arranged over 3 floors) with one garage space and one parking space within the driveway;

•2 no. house type C: 5 bedroom (173 square metres arranged over 2 floors) with a two garages and parking within the driveway;

•1 no. house type D: 3 bedroom (130 square metres arranged over 2 floors) with one garage space and one parking space within the driveway.

The proposed materials are facing brick, render and concrete tiled roofs.

## Scheme 1

The proposal was for eight houses each being two storeys in height arranged around the existing cul de sac. There were three generally smaller house types with integral garages and parking spaces in the driveways.

Plots 2,3,4,5,6 and 7 all had double shared driveways and 3 visitor parking spaces were included. The layout brought the houses close to the protected trees and a two storey gable was located close to the northern boundary at plot 8

## Supporting Documents

A tree survey, ecological assessment and an independent parking audit were submitted by the applicant and these documents are available to view via the Planning and Building Standards On Line Services.

### 2.2 Determining Issues

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?

### 2.3 Assessment

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

- a) the principle of the use is acceptable;
- b) the design and layout adversely affects the character of the area;
- c) the proposal adversely affects residential amenity;
- d) the proposal adversely affects the natural environment;
- e) the proposal adversely affects transport infrastructure or road safety;
- f) the proposal adversely impacts upon equalities or human rights; and
- g) representations made have been addressed.

#### a) Principle

The site lies within the urban area and replaces existing houses. Providing other policies can be complied with, the principle of housing on this site is acceptable.

## b) Design and Layout

Within this area of mixed house designs, the proposed use of two and three storey detached houses within this site is acceptable and there is no adverse impact upon the character of the area.

The proposed layout retains the existing cul-de-sac and public footpath link through the development from Barnton Park Crescent to the woodland. The houses are arranged around the cul de sac and although there are more houses proposed than existing, the houses have similar sized front gardens to other houses in the area where street views will be similar. Whilst the front garden areas are a reasonable size, there is a significant amount of garden area given over to driveways for access to garages. The layout minimises this by joining two driveways together and adequate green space will remain between the new frontages and the public road. The layout does not adversely affect the character of the area. Issues of road safety are discussed later in this report.

The designs of the houses are suburban which is appropriate in terms of the impact on the character of the area. The proposed walling and roofing materials are also in keeping with the area. No details have been submitted relating to boundaries of gardens and this can be conditioned.

The houses, being detached, permit views between them to the woodland beyond which is similar to the present arrangement. Views of the wooded backdrop will also still be seen above the new roof ridges.

The rear gardens of the houses are of similar size to others in the area, with plots 3 and 7 being particularly generous as these will have a significant amount of protected trees located within them.

Whilst the density of the development is greater than the existing layout, the resultant spatial form and design of the development does not adversely affect the character of the area.

## c) Residential Amenity

The proposed houses are located far enough away from each other and neighbouring houses to protect privacy.

In terms of daylighting and sunlight, the houses on plot 1 and plot 8 adjoin the boundaries of the existing houses on Barnton Park Crescent. Although the proposed house on plot 1 will replace an existing bungalow, there will be no significant increase in overshadowing. The applicants have demonstrated that the house type being proposed for plot 8 complies with the Edinburgh Design Guidance relating to daylight and sunlight. The proposal does not adversely impact upon daylight of neighbouring properties in compliance with Guidance.

Issues of noise, disturbance and pollution during demolition and construction can be addressed via other regulatory methods. With regard to security concerns, the site currently has empty houses occupying it and security will improve when the approved development is occupied.

The amenity of future residents of the development can be protected via the inclusion of acoustic glazing on all facades which face Queensferry Road.

#### d) Natural Environment

Whilst no European Protected Species have been found in association with the site, the submitted Ecological Assessment includes a precautionary approach to the development of the site. This precautionary approach can be included as a condition and there will be no adverse impact upon the natural environment.

With regard to the submitted tree survey, this demonstrates that no protected trees will be directly affected by the development. Two trees outwith the site are recommended for removal and this would be a matter for the developer to raise with the owners. Because many of the trees are currently located within the rear gardens of the existing houses, there is concern that the amenity of future residents will be reduced by overshadowing thereby leading to pressure for their removal. Plots 3 and 7 contain most of these trees and the layout now accommodates them in a more acceptable form. Any development on this site will face this issue and this layout compensates by providing generous rear gardens for plots 3 and 7. The protected trees will not be affected and conditions relating to their protection during construction are recommended.

#### e) Transport Infrastructure and Road Safety

The proposed road layout does not comply with the Council's guidelines or good practice in relation to the driveway location and design. It will result in long lengths of footway crossings which can reduce pedestrian safety and create future maintenance issues in relation to the possible ponding of water. However, the site is a small development arranged around an existing cul de sac where pedestrian footfall will be limited. Although the proposal is not fully in compliance with Council Guidelines, pedestrian and road safety will not be adversely affected in the particular circumstances of this case

#### f) Equalities and Human Rights

The proposal does not adversely affect equalities or human rights.

#### g) Public Comments

### **Material representations**

- Road layout inadequate- this has been addressed in section 2.3e)
- Overshadowing to neighbouring properties- this has been addressed in section 2.3c)
- Adverse impact upon trees- this has been addressed in section 2.3d)
- Adverse impact upon European protected species- this has been addressed in section 2.3d)
- Noise disturbance- this has been addressed in section 2.3c)
- Increase in pollution- this has been addressed in section 2.3c)
- Site works causing disruption to residential amenity- this has been addressed in section 2.3c)
- Loss of daylight- this has been addressed in section 2.3c)
- Loss of privacy- this has been addressed in section 2.3c)
- Loss of security- this has been addressed in section 2.3c)
- Damage to property- this has been addressed in section 2.3c)

## **Non- Material representations**

- Comments related to concerns about the condition of the existing properties and their impact upon house values.

In conclusion, the proposal complies with the development plan and the infringement, regarding the number of vehicle driveways and their design in relation to road safety is justified in this case. The proposal will not result in the loss of neighbouring amenity and acceptable level of amenity will be afforded to future occupiers. The proposal will not adversely affect protected trees and protected species subject to conditions relating to a precautionary approach during construction being taken and protection of trees. The proposal is acceptable in this location and is of an appropriate scale, form and design subject to a condition requiring details of materials. This application was assessed in terms of equalities and human rights, no impact was identified. There are no material considerations which outweigh this conclusion.

## **3. Recommendations**

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**3.1** It is recommended that this application be Granted subject to the details below

### **3.2 Conditions/reasons**

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.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning and Building Standards before work is commenced on site.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
4. Notwithstanding the submission of an Ecological Assessment by Nigel Rudd Ecology dated 2012 which demonstrated that there are no European Protected Species likely to be adversely affected by the development, due cognisance shall be taken of the stated precautionary approach in paragraph 5.9 of the above report. The precautionary approach shall be fully adopted during the implementation of the development.
5. Only the tree surgery and removals stated in the submitted Tree Survey by Donald Roger Associates dated August 2012 shall be implemented and no work carried out to the remaining trees at any time without the prior written consent of the Head of Planning.
6. Prior to the commencement of any work on the site, tree protection fencing shall be erected around the tree protection zone as shown on the applicant's drawing number

PL-02 revision F (proposed site layout) (CEC drawing number 11). These tree protection measures shall be in accordance with BS5837.2005 'Recommendation in Relation to Construction' and shall remain during construction.

**Reasons:-**

1. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In the interests of biodiversity
5. In order to safeguard protected trees.
6. In order to safeguard protected trees.

**Informatives**

It should be noted that:

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

2. Acoustic glazing should be designed in accordance with BS8233:1999 'Sound Insulation and Noise Reduction for Buildings - Code of Practice' to attain the following internal noise levels:

Bedrooms - 30dB LAeq, T and 45dB LAfmax

Living Rooms - 30 dB LAeq, D

T - Night-time 8 hours between 2300 - 0700

D - Daytime 16 hours between 0700 - 2300

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.

**Statutory Development****Plan Provision**

The proposal lies within the urban Area as identified in the Edinburgh City Local Plan.

**Date registered**

10 December 2012

**Drawing numbers/Scheme**

1,2a,3a,4a,5a,6a,8,9,11-14,

Scheme 2

**David R. Leslie**

Acting Head of Planning and Building Standards

## Links - Policies

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### **Relevant Policies:**

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

**Non-statutory guidelines** on 'PARKING STANDARDS' set the requirements for parking provision in developments.

**Non-statutory guidelines** 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

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

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

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

Policy Hou 1 (Housing Development) supports housing on appropriate sites in the urban area, and on specific sites identified in the Plan.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

Policy Hou 4 (Density) sets out the factors to be taken into account in assessing density levels in new development.

Policy Tra 4 (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.

# Appendix 1

## Consultations

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### Resources, Children and Families

*This site is located within the catchment areas of:*

- \* Davidson Mains Primary School;*
- \* Fox Covert RC Primary School;*
- \* The Royal High School; and*
- \* St Augustine's RC High School.*

*Given the small scale nature of the proposal and the fact that the overall increase would only be 3 dwellings, I have no objection to the proposal.*

### Culture and Leisure Archaeology Service

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for the demolition of five single storey dwellings and redevelopment of the site with 8 new residential dwellings.*

*The site historically occurs within the historic landscape for Barnton (Cramond Regis) House and area of archaeological interest. However the site occurs away from the know estate centres and within an area of woodland shown on the 1st Edition OS map. Given this historical information and the sites modern development history it has been concluded that it is unlikely that significant archaeological remains will survive across this area. Therefore I have concluded that there are no known archaeological constraints upon this particular application.*

### Environmental Assessment

*The applicant proposes demolishing five vacant residential dwelling and building eight new residential units. The site is within an established residential area, however it does back onto the busy Queensferry Road, we would therefore recommend that acoustic glazing is incorporated to all facades overlooking Queensferry Road.*

*Environmental Assessment has no objections to this proposed development, but would recommend the following informative:*

*Informative:*

*Acoustic glazing should be designed in accordance with BS8233:1999 'Sound Insulation and Noise Reduction for Buildings - Code of Practice' to attain the following internal noise levels:*

*Bedrooms - 30dB LAeq, T and 45dB LAfmax  
Living Rooms - 30 dB LAeq, D*

*T - Night-time 8 hours between 2300 - 0700*

*D - Daytime 16 hours between 0700 – 2300*

## **Transport Planning (Development Control)**

*I would be pleased if the application could be continued.*

*The road layout falls short of the requirements in relation to an RCC application that would be required should the proposals be acceptable A meeting has been requested (28/12/12) with the agent to discuss*

*Access and parking arrangements*

*RCC requirements*

*Network implications*

### *Additional Comments*

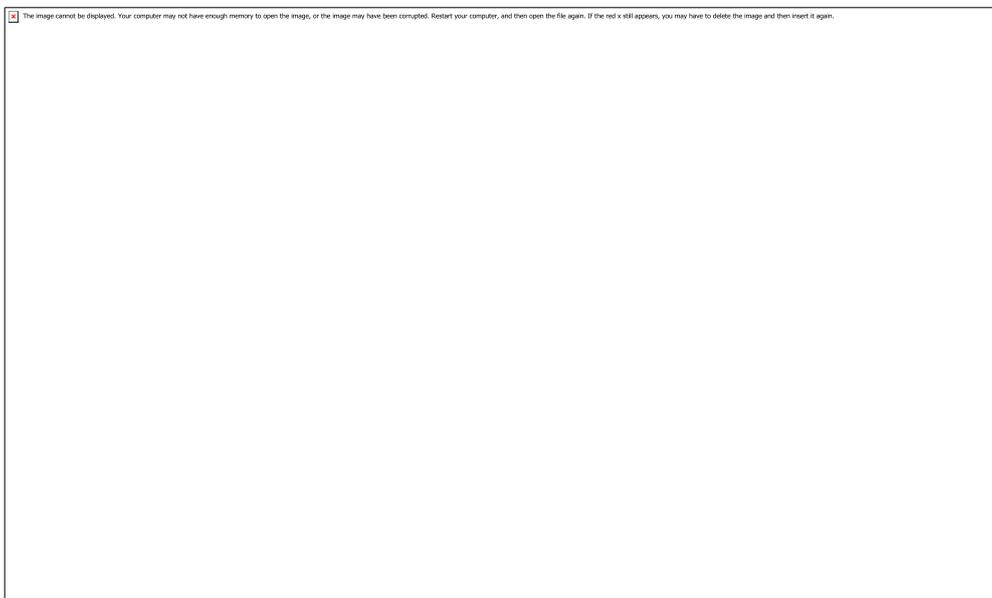
*I would be pleased if the application could be continued.*

*The revised layout although separating the driveways still raises concerns Plots 2,3 and 4 and footway all take access at the south west section of the access road this arrangement would cause drainage problems as whole section would be a dropped crossing point and susceptible to ponding. A similar situation would result in relation to plots6,7 and 8*

*Transport consider that too many dwellings are trying to be accessed from a limited access road*

## **Location Plan**

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**END**