

Development Management Sub Committee

Wednesday 25 September 2013

**Application for Planning Permission 12/03219/FUL
At Bonnington Mains House, Wilkieston Road, Ratho
Proposed extension of planning consent 09/00849/FUL for
demolition of existing house and erection of a new house.**

Item number

Report number

Wards

A02 - Pentland Hills

Links

[Policies and guidance for this application](#)

LPRW, RWE5, RWE6, RWE41, RWE42, NSG, NSDOP, NSGCGB,

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Executive summary

Application for Planning Permission 12/03219/FUL At Bonnington Mains House, Wilkieston Road, Ratho Proposed extension of planning consent 09/00849/FUL for demolition of existing house and erection of a new house.

Summary

The proposal is contrary to Policy E5 of the Rural West Edinburgh Local Plan but this issue has been accepted in previous decisions relating to the replacement house at this site. The design, scale and siting of this proposal comply with Local Plan Policy in terms of its impact upon the rural landscape.

Recommendations

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

Financial impact

There are no financial implications to the Council.

Equalities impact

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

Sustainability impact

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

Pre-Application Process

There is no pre-application process history.

Publicity summary of representations and Community Council comments

The application was advertised on 21 September 2013. One representation was received which raised objections regarding the following material points:

- impact on the character of the area.

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

Background reading / external references

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

Application for Planning Permission 12/03219/FUL At Bonnington Mains House, Wilkieston Road, Ratho Proposed extension of planning consent 09/00849/FUL for demolition of existing house and erection of a new house.

1. Background

1.1 Site description

The property is situated to the east of Bonnington Village, east of the B7030 Cliftonhall Road. The existing property is a dwelling of traditional rural style with substantial front and side extensions added over time. It is finished with painted render and slate roof set back approximately 90 metres from the road. At the front entrance to the site is a lodge. A long driveway runs between the lodge and the farm house. A farm yard lies outwith the application site to the west.

The existing house and outbuilding have a collective footprint of approximately 318 square metres. The collective footprint of the house, outbuilding and previously approved but not built extension is 423 square metres.

1.2 Site History

06 June 2002. Permission was granted for an extension and refurbishment of the dwelling house (Reference: 01/03782/FUL).

02 November 2008. An appeal against a refusal of planning permission for a proposed replacement dwelling was dismissed (02/03884/FUL). The Reporter considered that scale, massing and some detailing to be unacceptable in this prominent skyline position.

01 October 2009. Permission granted for a proposed replacement dwellinghouse (Reference: 09/00849/FUL).

2. Main report

2.1 Description Of The Proposal

The proposal is to extend the planning permission to demolish the house and replace it with a new house. Planning permission was granted 1 October 2009 and expired 30 September 2012. No details of the proposal have changed.

The new house would be on the same site as the existing house and would utilise the same driveway past the lodge house at the entrance to the site. The proposed house has a footprint of 342 square metres. The house is on three levels with the lowest level being to the west of the house and being set below current ground levels. The resultant height of the new house is in general lower than the ridge and chimneys of the existing house.

There are three main blocks connected by a glazed link to provide the basic form. There is a prominent gable of a same orientation as the existing gable of the present house but this is located at the western end of the front elevation. The three blocks have traditional pitched roofs with the southern block having a higher ridge.

The roofing materials are slate and the walls are a combination of natural stone, timber and glazed elements. The materials on smaller side extensions are timber and patinated copper. Large garage areas are located on the lower western section. Views of the garage area are hidden by the levels and a curved wall on the western side of the site.

The proposed house has a larger floor area than the existing house but is less than that consented via a previously approved, but not implemented extension.

Supporting Documents

The supporting documents submitted with the previous application are relevant to this application. These are:

Tree Survey and Arboriculture Implication Assessment by Donald Roger Associates dated July 2009.

Supplementary Report on Arboriculture Issues dated 20th August 2009.

These supporting documents are available to view on the Planning and Standards Online Services under planning application 09/00849/FUL.

A preliminary Bat Survey and a design statement have been provided which provides comparison elevations, plans and sections with the context of the landscape. The document has photomontages of the proposal from the same viewpoints as the photos of the house at present.

These supporting documents are available to view on the Planning and Standards Online Services under planning application 12/03219/FUL.

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) any policies or guidance have changed in the last three years;
- (b) there is any impact on equalities and human rights; and
- (c) public comments have been addressed

(a) Policies and Guidelines

The Rural West Edinburgh Local Plan policies remain unchanged since the decision was issued and there are no alterations to the proposed development. Although the proposal is contrary to policy E5, the principle of a replacement dwelling house at this site was accepted in previous decisions relating to the replacement house at this site and there is no reason for this assessment to differ.

The non-statutory guidance relating to building heights, landscape and development and trees and development have been consolidated in to the Edinburgh Design Guidance. This change has no impact on this proposal.

The proposal has no adverse impact on the daylighting, sunlighting or privacy of neighbouring properties.

The design, scale and setting of the proposal have not been altered and will not adversely impact upon the rural landscape or character of the area. Conditions can be attached to ensure that existing trees can be protected, an improved landscape setting provided and archaeological interests guarded. There are no other material considerations which outweigh this conclusion.

Protected species were not considered under the last application. However, a preliminary Bat Survey has been submitted and the proposal meets the three Tests set out by Scottish Natural Heritage. See appendix 1 'Consultations' for a full report on why these criteria have been met.

(b) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

(c) Public Comments

Material comments:

One letter of objection was received and the main grounds of objection are as follows:

The proposal would alter the character and appearance of the area; this is addressed in paragraph a).

No comments have been received from the Community Council.

CONCLUSION

In conclusion, there have been minimal changes to policies and guidelines and no adverse impact on protected species. It is recommended that the Committee grants this application to extend planning permission 09/00849/FUL subject to conditions relating to the submission of materials, tree protection measures, landscaping details and an archaeological watching brief.

3. Recommendations

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. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, watching brief, reporting and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

3. 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.

4. 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.

5. No development shall be commenced on site until the tree protection measures specified in the following supporting documents have been implemented:-

- Tree Survey and Arboricultural Implication Assessment by Donald Rodger Associates dated July 2009

- the Supplementary Report on Arboricultural Issues by Donald Rodger Associates dated 20th August 2009

- and as specified in the approved drawing number 21 of planning application 09/00849/FUL Tree Protection Plan

The tree protection measures specified in the above documents shall maintained and remain in place during the entire construction period.

Reasons:-

1. In order to enable the Head of Planning and Building Standards to consider this/these matter/s in detail.

2. In order to safeguard the interests of archaeological heritage.

3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

4. In order to ensure that the approved landscaping works are properly established on site.
5. 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. Approved drawings 1A, 2A, 3A, 4A, 5A, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 in planning application 09/03219/FUL, scheme 2 are relevant to this application.
3. No development should take place until a licence has been issued by SNH.
4. 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.
5. 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 Countryside Policy Area on the Rural West Edinburgh Local Plan where there is a presumption against new development and the rural character and amenities are to be safeguarded.

Date registered

10 September 2012

Drawing numbers/Scheme

1,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Links - Policies

Relevant Policies:

Relevant policies of the Rural West Edinburgh Local Plan.

Policy E5 states that in order to protect the landscape quality, rural character and amenity of the Green Belt and countryside areas, development will be restricted.

Policy E6 states that where acceptable in principle, development proposals in the Green Belt or countryside must meet the criteria which aim to achieve high standards of design and landscaping.

Policy E41 encourages high standards of design for all development and its careful integration with its surroundings in terms of scale, form, siting, alignment and materials. New development should improve energy efficiency and reduce noise pollution.

Policy E42 requires new buildings to make a positive contribution to the overall quality of the environment and the street scene, making provision for high quality landscaping and, where appropriate, new open spaces.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Appendix 1

Consultations

Natural Heritage

Assessment of Development proposals which are likely to have a significant effect on a European protected species under the conservation of Natural Habitats &c, Regulations 1994

European protected species (EPS) include bats, otters and great crested newts. They are legally protected and it is a criminal offence to disturb, injure or kill them; or to damage or destroy their resting or breeding sites. If a development proposal is likely to affect EPS then the applicant must identify the impacts and attempt to avoid them. If impacts cannot be avoided and an offence is likely to be committed then Scottish Natural Heritage (SNH) may issue a protected species licence to enable the proposal to proceed. The proposal must meet the three tests laid out in the Habitats Regulations 1994 before the Council can give planning consent and before SNH can issue a protected species licence.

Bat survey work should comply with the Bat Conservation Trust publication “Bat Surveys: Good Practice Guidelines (2nd edition)”

*Application Number: 12/04263/FUL Bonnington Mains House, Wilkieston Road, Ratho
Proposed Extension of planning consent 09/00849/ful*

*European protected species to be affected by the proposal:
Pipistrellus sp.*

Details of proposals:

The proposal is to extend the planning permission to demolish the house and replace it with new one. Planning permission was granted 1 October 2009 and expired 1 October 2012. No details of the proposal have changed.

Summary of survey and findings:

A bat survey has been carried out by Eden Ecology Limited. Winter Bat Survey of Bonnington House Kirknewton, West Lothian January 2013

Although winter only surveys have limitations in that bats are not normally likely to be present and potentially over looked, evidence in this case was clear. A small number of pipistrelle sp. droppings consistent with occasional use as a day roost by 1-2 bats during summer were found at the south gable of the east wing. There were no signs of bats in any other part of the building.

Licensing Requirements:

The presence of an active bat roost within the building ensures that it will be necessary for the applicant to obtain a derogation licence from Scottish Natural Heritage. Planning authorities must be satisfied that the 3 test of a licence must be met.

Assessment of the three tests required for a licence

Licence Purpose:

1. A licence may be granted “to preserve public health or public safety or for reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance”

The site has had previous planning permission for demolition and rebuild. Given the number and species of bats likely to be present i.e. 1-2 pipistrelle sp. bats on an occasional basis, it is considered that by applying proportionality, Test 1 will be met.

Test 1 is satisfied

2. A licence may not be granted unless “there is no satisfactory alternative.” Alternative options and why they are not being considered.

The proposal is site specific, in that one building is to be demolished and replaced with a new building on the same site. An alternative site in this case is not an option.

Test 2 is satisfied

3. A licence may only be issued if the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range”.

Will the proposal have a detrimental impact on the population of the favourable conservation status of the species concerned?

Based on the findings of the winter survey the property supports 1-2 pipistrelle sp. bats on an occasional basis. Given the widespread and common nature of the pipistrelles and the readiness with which non –maternity colonies take to mitigation such as bats boxes or incorporating features into any new build, no negative impacts on favourable conservation status of the species will occur.

Bat boxes or incorporation of features into the building is recommended in the report as suitable mitigation but this would need to be supported by a mitigation plan and method statement.

Test 3 is satisfied

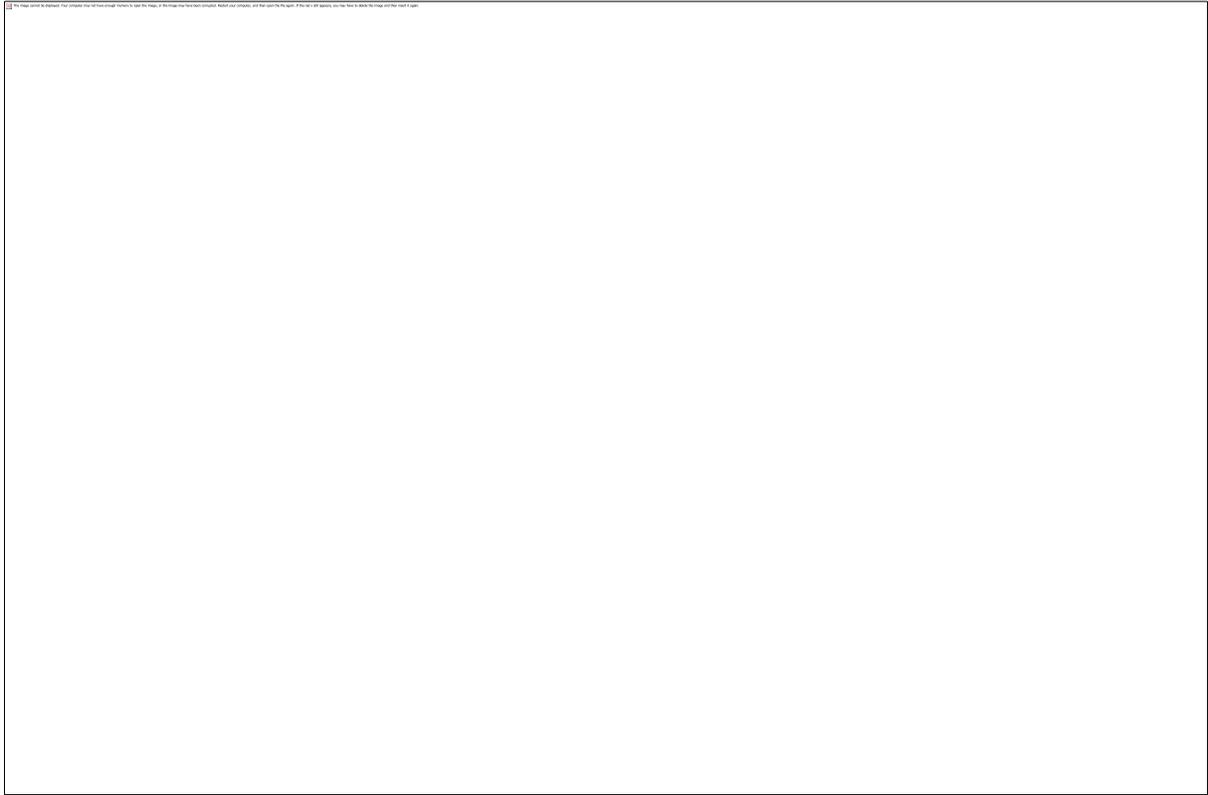
Recommendation:

With the information available and applied to the three tests, it is considered that all three tests will be met and a licence will be granted. Therefore there is no reason in relation to a European protected Species (in this case bats) that this application should not be granted consent.

Condition:

No development should take place until a licence has been issued by SNH.

Location Plan



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