

# Development Management Sub Committee

Wednesday 25 June 2014

**Application for Planning Permission 14/00052/FUL  
At 33 Ellersly Road, Edinburgh, EH12 6HX  
Extend external wall northwards at third floor (penthouse)  
north external balconies to line of main elevations below (i.e.  
omitting the balconies). Form canopy by partially extending  
roof over south west penthouse balcony. Form additional  
window openings and amend location of others.**

Item number	4.6
Report number	
Wards	A06 - Corstorphine/Murrayfield

## Summary

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The proposal complies with the development plan and non-statutory guidance. It will preserve the character and appearance of the conservation area and is acceptable in terms of residential amenity.

## Links

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[Policies and guidance for this application](#)      LPC, CITD3, CITE6, NSG, NSGD02,

# Report

## Recommendations

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1.1 It is recommended that this application be Granted subject to the details below.

## Background

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### 2.1 Site description

The application site is the top floor of a five storey flatted block in the process of construction at 33 Ellersly Road Edinburgh. The block is part of a larger residential scheme approved under planning reference 12/01683/FUL, most of which has been built.

A parking courtyard and stone wall are on the north, beyond which lies Ellersly Road. The carpark of flatted three and four storey residential property at Guardianswood lies on the east, while on the south is a new road, Wallace Gardens, with a four storey flatted block beyond. On the west is a newly built terrace of three to four storey townhouses.

The surrounding area is mainly residential.

This application site is located within the West Murrayfield Conservation Area.

### 2.2 Site History

29 January 2013 - planning permission granted for residential development comprising 19 houses and 32 flats (as amended) (application reference: 12/01683/FUL).

There is no other relevant planning history.

## Main report

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### 3.1 Description Of The Proposal

It is proposed to extend the external wall northwards at penthouse level to omit two external balconies on the north and partially extend the roof over the south west balcony to form a canopy. The south west balcony windows will be sliding and folding. There will be a new bathroom window on the south façade and a new window on the west gable.

The design will be contemporary throughout. The proposed materials will be buff-coloured natural stone, glazing and timber elements with acid-etched cast stone for the cills and lintels.

The following document was submitted in support of the application and is available to view on the Planning and Building Standards Online Services.

- Current and proposed context drawing.

### **3.2 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?

### **3.3 Assessment**

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

- a) the proposal will preserve or enhance the character or appearance of the conservation area;
- b) the proposal's design impacts are acceptable;
- c) the proposal affects the residential amenity of neighbours and occupiers;
- d) the proposal meets sustainability criteria;
- e) there are any impacts in terms of equalities or human rights;
- f) material representations raise issues to be addressed; and
- e) there are any other material considerations.

#### **a) Conservation area**

The South Murrayfield Conservation Area Character Appraisal describes the essential character of the conservation area as:

*South facing slopes and clear views over the surrounding countryside. Continuous high stone boundary walls at the heel of the pavement, occasional formal gate piers and lodge houses reinforce an impression of grand country houses. The height of the walls and the maturity of the tree growth almost completely obscures development within, giving an impression of seclusion and privacy. The streets are the only public spaces inside the conservation area. There are significant contrasts in spatial structures with those of surrounding development.*

The Character Appraisal notes that there is 'no dominant architectural style' in the conservation area, and that 'buildings are individually designed and influenced by popular styles of the time or period.'

The proposal is minor in nature. It will retain the high quality modern aesthetic of the rest of the flatted block and adjacent development. The materials, which will be the same as the remainder of the block, are appropriate in nature, colour and quality for the conservation area.

The proposal will protect and enhance the character and appearance of the conservation area.

#### b) Design

The minor alterations to the roof profile will be in keeping with development in the wider area and will not intrude upon the skyline. There will be sufficient demarcation of the roof profile of the application site to support the architectural coherence of the block of which it forms part.

The design is contemporary and of good quality. The use of high quality materials, predominantly natural, buff-coloured stone with limited use of timber, will complement the character of the area.

The design and materials are acceptable.

#### c) Residential amenity

The alteration to the south balcony window, proposed east-facing study window on the top floor and south-facing bathroom window raise no new amenity issues.

There is no adverse impact on the residential amenity of neighbours or occupiers of the proposal site.

#### d) Sustainability

The proposal does not raise any sustainability issues.

#### e) Equalities and Human Rights

No issues are raised in terms of equalities and human rights.

#### f) Representations

No representations were received.

## g) Other Issues

The application site is within an airport safeguarding zone. Edinburgh Airport assessed the application for planning permission for the larger site (12/01683/FUL) from a safeguarding perspective and raised no objections subject to the inclusion of a planning condition relating to Bird Hazard Management, to ensure the safe movement of aircraft and operation of the airport. A similar condition is recommended for this application.

## Conclusion

The proposal complies with the development plan and non-statutory guidance. The minor alterations proposed are of good design and will preserve the character and appearance of the conservation area subject to a condition relating to materials. The proposal is acceptable in terms of residential amenity. There are no material considerations which outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

1. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Head of Planning. The submitted plan shall include details of:
  - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'.

The Bird Hazard Management Plan shall be implemented as approved upon completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Head of Planning.

2. 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; full sample panels on site may be required.

### **Reasons:-**

1. In the interests of aviation safety.
2. In order to enable the Head of Planning and Building Standards to consider this matter in detail.

## **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. The Bird Hazard Management Plan must ensure that flat/ shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access ladders or similar. The owner/ occupier must not allow gulls, to nest roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/ occupier when detected or when requested by BAA Airfield Operations staff. The owner/ occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/ occupier must obtain the appropriate licences from the Scottish Executive Environment and Rural affairs Department (SEERAD) before the removal of nests and eggs.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The application is subject to a legal agreement for developer contributions.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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## 8.1 Pre-Application Process

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

The application was advertised on 21 January 2014. No representations were received.

## Background reading / external references

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

### Statutory Development Plan Provision

The application site is identified by the adopted Edinburgh City Local Plan as lying within the Urban Area and the West Murrayfield Conservation Area.

### Date registered

8 January 2014

### Drawing numbers/Scheme

01-08,

Scheme 1

## David R. Leslie

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## Links - Policies

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### Relevant Policies:

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

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

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

## **Relevant Non-Statutory Guidelines**

**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.

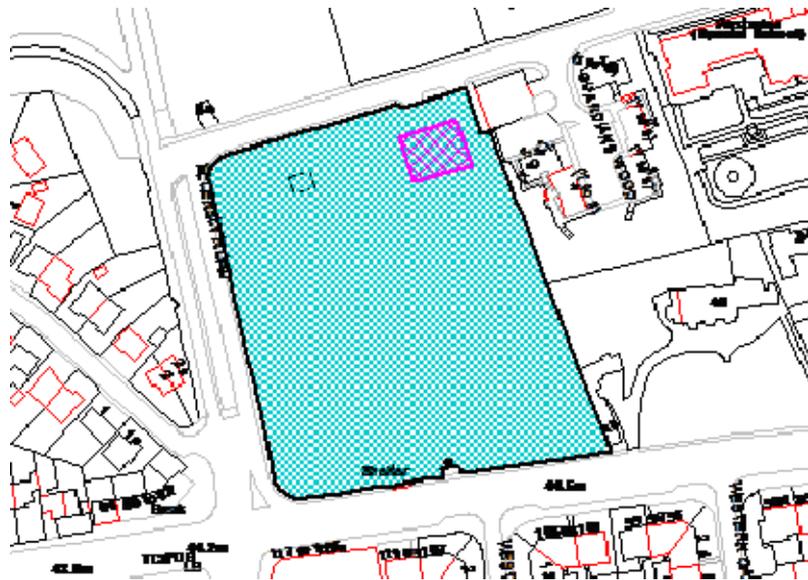
# Appendix 1

## Consultations

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### Location Plan

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