

Development Management Sub Committee

Wednesday 19 November 2014

**Application for Planning Permission 14/00820/FUL
At Land To Rear Of 8-16, Hillview Drive, Edinburgh
Vary the size and external appearance of the proposed
house on plot 2.**

Item number	4.8
Report number	
Wards	A06 - Corstorphine/Murrayfield

Summary

The proposals do not comply with the development plan or Council guidance. The proposed design and increase in the level of development on the plot and the wider site would fail to reflect the prevailing spatial character of the locality or the appearance of adjacent dwellings in the surrounding block. The proposal would result in overlooking and loss of privacy to a neighbouring rear garden.

Links

[Policies and guidance for this application](#) CITD1, CITD3, NSGD02,

Report

Application for Planning Permission 14/00820/FUL At Land To Rear Of 8-16, Hillview Drive, Edinburgh Vary the size and external appearance of the proposed house on plot 2.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is contained within a triangular area of open space (0.2 hectares) enclosed by Hillview Drive to the west, Hillview Terrace to the north, Corstorphine Bank Road to the south east, and Temperland to the south.

The site was formerly occupied by a market garden nursery with some fences, remains of former greenhouses and planting beds still in evidence but now mainly derelict and overgrown. Part of the site has recently been used for the storage of building materials.

Vehicular access has previously been formed to the south west of the site, between the gable of 6 Hillview Drive and mutual boundary with 8 Hillview Drive. A secondary pedestrian access route lies to the north west corner of the site between 16 and 18 Hillview Drive.

The area surrounding the site is predominantly residential in nature comprising detached and semi detached bungalows. These feature mainly pyramidal or hipped roof forms, some with dormer windows and converted loft space.

2.2 Site History

04 March 2004 - Planning permission granted to alter and extend the existing house a 6 Hillview Drive to provide additional living accommodation and widen driveway (Application reference - 03/04746/FUL).

20 January 2006 - Outline permission for three house plots was refused (Application reference - 05/04079/OUT).

20 February 2007 - Planning permission granted for a dormer extension to the roof and minor amendments to 03/04746/FUL at 6 Hillview Drive (Application reference - 07/00129/FUL).

18 April 2007 - Planning permission refused for two 1.5 storey houses (Application reference - 07/00262/FUL). The appeal against the refusal of this application was dismissed as the development did not have a positive impact on its setting, did not have sufficient regard to the positioning of buildings and their scale, height and form and failed to connect visually with its surrounding contrary to E5 and H4 of North West Edinburgh Local Plan and DES3 of Edinburgh City Local Plan.

31 January 2008 - Planning permission granted for the erection of two 1.5 storey houses (Application reference - 07/02833/FUL). This was a resubmission of previous refusal 07/00262/FUL.

18 February 2008 - Planning permission refused to upgrade an existing market garden nursery. The proposal involved the demolition of the existing house at number 6 Hillview Drive, the creation of a 6 metre wide vehicular access with 2 metre high gates, car parking for 16 cars, the construction of a new building with an overall floor area of 120 square metres (65 square metres being retail) and various external sales/display areas for ancillary garden materials. (Application reference - 07/05294/FUL).

28 May 2008 - Variation granted to increase length of house on plot 2 and alter to the roof pitch to 45 degrees, with detached garage omitted (Application reference - 07/02833/VARY).

13 August 2008 - Planning permission was granted for alterations to approved plans on Plot 1 (07/02833/FUL) similar to already approved on Plot 2. This included an increased footprint and roof pitch to improve accommodation within roof space (08/02257/FUL).

28 January 2009 - Planning permission granted to build underground garage to Plot 1 dwelling (Application reference - 08/04198/FUL).

01 October 2009 - Planning permission granted to erect conservatory to the north east corner of the Plot 1 dwelling (09/01944/FUL).

Main report

3.1 Description Of The Proposal

The originally approved scheme for the wider site (07/02833/FUL) comprised the development of two detached 1.5 storey dwelling houses: a larger dwelling to the northern part of the site (Plot 1) and a smaller dwelling to the south west corner (Plot 2). Vehicular access was to be provided to Hillview Drive via a newly formed private driveway to the south west corner of the site. The originally approved scheme for Plot 2 included a detached double garage with pyramidal roof form to the south west corner of the dwelling, but this was subsequently omitted through 07/02833/VARY.

This application also proposes a detached 1.5 storey dwelling on Plot 2, but with an increased footprint, height and revised external appearance. The dwelling would extend 15 metres in length, 8.4 metres in width and 7.6 metres maximum height to the roof ridge, with a total footprint of 127 square metres, extending to the northern plot boundary. The previously approved scheme (07/02833/VARY) extended 12.25 metres in length, 7.17 metres in width and 6.8 metres maximum height to the roof ridge and total footprint of 92.9 square metres.

An alternative gable ended roof form, to be finished in slate grey concrete tiles, is now proposed in place of the hipped roof arrangement originally proposed. Three hipped dormer windows would be placed to the front and rear roof planes.

Material finishes would comprise natural sandstone, with split faced rubble and plain dressed quoins, cills, lintels and window margins to the front elevation, with dry dash render to the gables and rear elevation, UPVC window frames and hardwood door and frame surrounds.

Ground levels on the plot would be reduced from the previously approved scheme by 0.5 metres to create a finished ground floor level of 65.5 metres AOD.

3.2 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?

3.3 Assessment

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

- a) the proposals will adversely impact upon the character of the location and achieve an acceptable standard of design;
- b) the proposals will adversely affect the amenity of neighbours;
- c) the proposal raises transport impacts;
- d) the proposal raises equalities and human rights issues; and
- e) representations have been addressed.

a) Design and impact upon the character of the location

This proposal seeks to increase the total footprint of the dwelling to 127 square metres, which represents a 27% increase over the previous consent 07/02833/VARY and a 36% increase from the original consent 07/02833/FUL.

This proposal would feature a gable ended roof form with additional dormers to the front and rear roof planes. The height of the roof ridge would also be marginally increased by 0.8 metres from the previous scheme, although the overall increase would be offset by a reduction in site levels of 0.5 metres. The previously approved dwelling was placed centrally on the plot, with gardens to the front, rear and sides.

The proposed design changes within the scope of this application raise a number of concerns, particularly the relationship with the originally approved layout for the site which was approved following a public inquiry.

The Edinburgh Design Guidance states that where backland development would disrupt the spatial character of an area, it must be avoided. Whilst this site is inward facing and not readily visible from the surrounding streets, the originally approved layout, particularly the form, size and orientation of the dwellings and resulting plot ratios, had sought to draw upon the spatial character of the location.

The proposed gable ended roof form would not reflect the prevailing character of dwellings within the surrounding block, which are predominately bungalows of pyramidal or hipped roof form.

The enlarged footprint will result in an increase in the plot ratio from 16% to 20%. Whilst the proposed arrangement would maintain adequate garden areas to the south side and rear of the dwelling, the northern gable end is now placed on the plot boundary, which would result in a poor side to front relationship on the plot 1 dwelling. The extents of development have also increased to the eastern side of the plot, placing the front of the dwelling closer to the rear gardens of Corstorphine Bank Drive.

Although the site is not readily visible from the surrounding streets, these proposals pay insufficient regard to the prevailing spatial character. The elongated form of the dwelling, the increased mass arising from the proposed gabled roof form and positioning of the dwelling in relation to the plot boundaries would undermine the originally approved design concept for the site and result in an unacceptable intensification of development on the plot and the wider site.

The proposal has failed to draw upon the positive characteristics of the surrounding area to reinforce a sense of place. The proposal would be of a poor quality and inappropriate design which would be damaging to the character of the area. As such, the proposal would be contrary to the requirements of Local Plan Policy Des 1.

The proposed form and mass of the dwelling would be out of character with the dwellings in the surrounding block. The proposed increased size of footprint, development to plot ratio, overall mass arising from the proposed gabled roof form and positioning of the dwelling in relation to the plot boundaries would result in an unacceptable increase in the level of development on the plot and the wider site. This would fail to reflect the prevailing spatial character of the locality. The proposal would therefore be contrary to Local Plan Policy Des 3 a).

b) Transport

The driveway access to the site from Hillview Drive is now in-situ, with dropped kerbs also formed to the carriageway. The provision of 3 parking spaces within the site is considered acceptable, is no greater than that previously approved under the previous consent and would not raise adverse transport impacts.

c) Impact on neighbour amenity

The nature of the proposal would not result in overshadowing to neighbouring properties.

The proposed dormers to the rear roof plane would be positioned 9 metres from the rear boundary and are not therefore considered to affect the privacy of neighbouring properties on Hillview Drive. The proposed additional dormer to the south east corner of the dwelling would be positioned 7.6 metres from the rear property boundary to No. 27 Corstorphine Bank Drive, potentially raising issues of overlooking and loss of privacy to the adjacent rear garden. This aspect of the proposal would therefore fail to meet the requirements of Local Plan Policy Des 3 c)

d) Equalities and human rights

The nature of this proposal is not considered to raise impacts relating to equalities and human rights.

e) Representations

- Plans include a number of inconsistencies and are confusing - additional plans have been submitted by the agent
- Issues with neighbour notification with some properties in Hillview Terrace not receiving notice of the proposals - application notified in accordance with Council procedures
- Lengthy planning history for the wider site, including the Public inquiry in February 2008 and subsequent dismissal of these proposals by the Reporter - noted and issues relating to this are addressed in section 3.3a)
- The succession of applications to vary the previously approved size and height of the dwellings on both plots 1 and 2 - noted and issues relating to this are addressed in section 3.3a)
- This application seeks to increase the previously approved footprint from 92.9 metres square to 127 metres square, a significant increase from the originally approved proposal in 2007. Previous variation has already increased the size of the Plot 2 dwelling from 82.76 metres square to 92.9 metres square, an increase of 12% - noted and issues relating to this are addressed in section 3.3a)
- Proposed size of footprint of the dwelling and ridge height massing would be out of character with surrounding properties - addressed in section 3.3a)
- Proposed dormers will result in overlooking and loss of privacy to neighbouring properties - addressed in section 3.3.b)
- Increase in the number of car parking spaces previously approved - addressed in section 3.3a)

In conclusion, the proposal would result in an unacceptable increase in the level of development on the plot and wider site which has previously been tested through the planning system as having limited development potential. The proposal would be contrary to the requirements of Local Plan Policies Des 1 and Des 3 a).

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal would be contrary to Local Plan policies Des 1 and Des 3a) in that the proposed gable ended roof form and would not reflect the prevailing character of dwellings within the surrounding block.
2. The proposal would be contrary to Local Plan policies Des 1, Des 3a) and Edinburgh Design Guidance in that the proposed increased size of footprint, development to plot ratio, overall mass arising from the proposed gabled roof form and positioning of the dwelling in relation to the plot boundaries would result in an unacceptable increase in the level of development on the plot and the wider site and fail to reflect the prevailing spatial character of the locality.
3. The proposal would be contrary to Local Plan policy Des 3 c) in that the proposed additional dormer to the south east corner of the dwelling could give rise to potential overlooking by occupants of the proposed development and loss of privacy to a neighbouring rear garden.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 10 March 2014 and 12 letters of representation were received from neighbours, Corstorphine Community Council and the Constituency MP. These all comprised letters of objection and raised the following material issues;-

- Plans include a number of inconsistencies and are confusing
- Issues with neighbour notification with some properties in Hillview Terrace not receiving notice of the proposals
- Lengthy planning history for the wider site, including the Public inquiry in February 2008 and subsequent dismissal of these proposals by the Reporter
- The succession of applications to vary the previously approved size and height of the dwellings on both plots 1 and 2
- This application seeks to increase the previously approved footprint from 92.9 metres square to 127 metres square, an increase of 37% to this plot and 53% larger than the originally approved proposal in 2007. Previous variation has already increased the size of the Plot 2 dwelling from 82.76 metres square to 92.9 metres square, an increase of 12%
- Proposed size of footprint of the dwelling and ridge height massing would be out of character with surrounding properties
- Proposed dormers will result in overlooking and loss of privacy to neighbouring properties
- Increase in the number of car parking spaces previously approved
- Proposal would be contrary to Edinburgh City Local Plan Policies Des 1, Design Quality and Context and Des 3, Development Design, Criteria a) c) and h)
- Current condition of the site including storage of building materials, containers, caravans etc.

Non material

- Loss of aspect
- Various issues relating to the on-site management of construction works and previous problems which have arisen
- Potential disturbance and disruption during construction

Corstorphine Community Council commented that the appearance of the dwelling and proposed roof height would be out of character with the surroundings. It has also objected on grounds of lack of privacy afforded to neighbouring properties by presence of dormer windows.

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](#)

**Statutory Development
Plan Provision**

Edinburgh City Local Plan - Urban Area

Date registered

28 February 2014

Drawing numbers/Scheme

01-05, 06A-09A,

Scheme 2

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Links - Policies

Relevant Policies:

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.

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

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Consultations

No consultations undertaken.

Location Plan



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