

Development Management Sub Committee

Wednesday 3 December 2014

**Application for Planning Permission 13/04622/FUL
At Land 17 Metres Northwest Of 4, Robertson Avenue,
Edinburgh
Erection of 10 apartments.**

Item number	4.4
Report number	
Wards	A07 - Sighthill/Gorgie

Summary

The proposal does not comply with the development plan and Edinburgh planning guidelines. The proposed arrangements for car parking, cycle, waste and recycling storage provision would fail to achieve an acceptable design quality, and would have an adverse impact on the amenity of occupiers of the development. The proposed density of development on the site would fail to create an attractive residential environment and safeguard living conditions within the development.

Links

Policies and guidance for this application	CITD1, CITD3, CITD6, CITH1, CITH2, CITH3, CITH4, CITT4, CITT5, CITT6, NSGD02, NSP,
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Report

Application for Planning Permission 13/04622/FUL At Land 17 Metres Northwest Of 4, Robertson Avenue, Edinburgh Erection of 10 apartments.

Recommendations

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

Background

2.1 Site description

The application site is a vacant, derelict plot situated at the corner of Robertson Avenue and Robertson Gait measuring 28.5 metres depth and 11.5 metres width. The site is currently enclosed by timber hoardings.

The northern edge of the site is bounded by Robertson Gait, which provides access to the flatted developments to the rear. A line of traditional stone built tenements (4 storey with pitched and flat roof formation) lie immediately to the south, with their gable end flanking the edge of the site. Recently constructed flatted development, of 6-7 storey scale, lies to the north and west of the application site.

The area is characterised by both traditional and modern buildings of a tenemental scale.

2.2 Site History

07 April 2008 - Planning permission granted for the erection of 6 apartments and 2 office units (as amended) (Application reference;- 07/02207/FUL).

04 November 2008 -Planning permission granted for a change of use from 2 no. offices to 2 no. residential units (as amended to amendment to planning consent 07/02207/FUL to include two additional residential units in place of two offices) (Application reference;- 08/03101/FUL).

Main report

3.1 Description Of The Proposal

Amended scheme

The development of a 5 storey residential block on a corner gap site. The proposed development would abut the tenements to the south and pedestrian footway to the north and east.

The development would comprise ten, two bedroom flatted units, these ranging from 69.4 square metres to 72.5 square metres floorspace. The main pedestrian entrance would be situated on Robertson Avenue, with secondary access to the rear car parking area, this connected by a lobby with lift access to all floors.

Ten car parking spaces and cycle racks would be placed at rear ground floor level, these accessed via electrically operated sliding gates to Robertson Gait. A landscaped deck (200 square metres) would be placed above the car parking to provide private amenity space, this separated from the rear elevation by two lightwells and accessed by an overbridge to first floor level.

The development would feature a split monopitch roof arrangement. The front and front side elevations would be finished using smooth ashlar blockwork to ground floor level, with reconstituted rubblestone finish to the upper floors. Smooth, stone coloured render is proposed to the rear and rear side elevations of the main block, with reconstituted rubblestone and decorative grilled openings to the rear car park enclosure.

Waste storage has been placed within a recessed alcove to the rear side elevation, this accessed from Robertson Gait. Storage for cycles and recycling waste has been positioned within the rear lightwells adjacent to the car parking.

Previous schemes

Various revisions have been made to the car and cycle parking layout, rear landscaped deck and waste storage facilities.

The enclosure to the rear car parking area revised from timber fencing to reconstituted rubblestone with decorative grilled openings. Greater extents of rendered finish to the ground floor side elevation reduced and substituted with masonry blockwork.

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 principle of housing on the site and proposed housing mix is acceptable;
- b) the proposal is of an acceptable urban design quality which respects the character of the location and achieves high standards of residential amenity for occupiers;
- c) the proposal will adversely affect neighbouring residential amenity;

- d) the proposal is acceptable in terms of its transport impacts;
- e) the proposal meets the Council's sustainability requirements;
- f) the proposals have any equalities and human rights impacts; and
- g) that representations have been addressed.

a) Principle of development and housing mix

The application site is located within the urban area as defined in the Edinburgh City Local Plan (ECLP). ECLP Policy Hou1 supports housing in principle in such locations provided proposals are compatible with other policies of the Plan.

ECLP Policy Hou 2 seeks the provision of a mix of house types and sizes where practical to meet a range of housing needs, having regard to the character of the area and its accessibility to community facilities and public transport. The acceptability of residential flatted development on the site, has been established through previous applications on the site (Application references;- 08/03101/FUL and 07/02207/FUL). The area is strongly characterised by flatted accommodation and proposed unit types are therefore considered acceptable.

The proposed floorspace of the individual units would also exceed floorspace requirements set out in the Edinburgh Design Guidance, which promotes a minimum of 66 square metres floorspace for two bedroom units.

b) Design and residential amenity of occupiers

The proposed design approach is based on a tenemental form with shared amenity space and a limited amount of car parking to the rear and is considered acceptable in principle. The proposed five storey scale of development is considered to be an appropriate design response to the site and its surrounding context. The proposed material treatments including the use of ashlar blockwork, reconstituted rubblestone and render would also be considered appropriate to the character of the site and its locality.

The proposed open space provision for the development would comprise a communal landscaped deck above the car park to the rear of the block. Shared amenity space would comprise 45% of site area (200 metres sq) which broadly equates to 20 metres sq per unit. This provision would meet the requirements of ECLP Policy Hou 3 which stipulates a minimum of 20% of total site area should be greenspace.

ECLP Policy Hou 4 states that the Council will seek an appropriate density of development on site having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment and living conditions within the development .

All of the proposed dwelling units within the proposed development would be dual aspect. This arrangement would create a satisfactory living environment for those occupying units situated at first floor and above.

However, the rear windows of the two ground floor units would be orientated towards the parking deck. It is proposed to locate communal recycling storage facilities and car parking spaces adjacent to habitable rooms, including all bedrooms. This arrangement would result in a poor quality outlook with daylighting levels restricted by the presence of the adjacent deck and the potential for occupants to be disturbed by noise and smells from these facilities.

A total of 10 car parking spaces are proposed within the development to achieve 100% parking provision. However, the proposed layout of the enclosed parking deck is unsatisfactory with several spaces difficult to enter or exit rendering them unusable. This would place additional pressure on on-street parking in the vicinity of the site.

ECLP Policy Tra 5 and Edinburgh Design Guidance state that cycle parking should be secure and undercover. The proposed cycle parking racks would be placed in an open location outside the covered parking deck. Although access to the area would be controlled as part of the car park this arrangement is not considered to provide an optimal level of security as set out in the Council's guidance.

Discussions have taken place with the applicant to secure design improvements to the proposed development. Whilst a number of amendments have been proposed to the scheme as submitted, the arrangements to the car and cycle parking and waste storage remain unsatisfactory and would result in a poor quality of amenity for those occupying the ground floor units of the proposed development.

These aspects of the proposal would fail to meet the requirements of ECLP Policy Des 3 h) which states that car parking, refuse and recycling facilities, cycle storage, plant and services must be sensitively integrated into the design. Part c) of this policy also states that the amenity of occupiers should not be materially harmed.

This application proposes the introduction of two additional units to that previously approved with a 100% parking provision. Consequently, this has resulted in a constrained ground floor layout which fails to deliver a satisfactory standard of design and level of residential amenity.

The proposals fail to meet the requirements of ECLP Policies Hou 4 and Edinburgh Design Guidance in that the proposed density would fail to create an attractive residential environment and safeguard living conditions of those occupying the development.

Environmental Assessment has requested that a Noise Assessment is undertaken to assess anticipated noise levels within the development. However, this information has not been requested, given the number of unresolved issues relating to the design of the development.

c) Neighbouring Residential Amenity

The proposed 4 storey scale of development is considered appropriate to the character of the site and the surrounding area. Edinburgh Design Guidance states that the pattern of development in an area will help define appropriate distances between buildings and consequentially privacy distance, thus minimising direct overlooking.

The planning system does not seek to protect loss of aspect and private views. These are not material planning considerations.

The proposals are considered to meet the requirements of ECLP Plan Policy Des 3h) and Council Guidance in that the amenity of neighbouring properties would not be materially harmed, by effects on privacy, daylight, sunlight or immediate outlook.

d) Transport

The proposed 100% parking provision within the development would not exceed car parking levels set out in non statutory planning guidance and would therefore satisfy the requirements of ECLP Policy Tra 4. However, a lower car parking provision with complementary measures to reduce car use could also be pursued in this location, particularly given the proximity of the site to key public transport routes and local services. In turn, a lower car parking provision could alleviate the issues relating to layout and residential amenity outlined in section 3.3 b) of the report.

The Head of Transport has advised that the revised car parking layout falls marginally short of the recommended dimensions for a parking court. Although the parking court would be privately maintained and is located within a cul-de-sac with no through traffic, the proposed layout of the parking deck is tight, with several spaces difficult to enter or exit rendering them unusable. ECLP Policy Tra 6 states that the design of car parking should not compromise pedestrian safety and should assist the safe movement to and from parked cars, for example by the provision of marked walkways. The proposed layout of the parking deck will not result in safe and convenient pedestrian movement.

ECLP Policies Tra 5 and Tra 6 state that permission will be granted where cycle parking and storage provision complies with supplementary planning guidance. Cycle parking should be provided close to entrances, preferably in covered and secure locations, to encourage cycle use. The proposed cycle parking racks would be placed in an open location outside the covered parking deck. Although access to the area would be controlled as part of the car park, this arrangement is not considered to provide an optimal level of security as set out in Council guidance.

The proposed arrangements for car and cycle parking also fail to meet the requirements of Local Plan Policies Tra 4, Tra 5, Tra 6 and Des 3 h) as outlined in section 3.3 b) of the report

e) Sustainability requirements

The applicant has submitted the S1 Sustainability Statement in support of the application which meets Council's requirements for a development of this scale.

f) Equalities and Human Rights impacts

An equalities and human rights impact assessment has been undertaken. A number of issues have been identified regarding DDA access within the development, including the lack of provision for DDA compliant car parking spaces. The proposals would fail to provide DDA compliant access throughout the development and would therefore impact upon equalities and human rights.

g) Representations

The issues raised in representations have been assessed as follows:-

- Proposal would allow the redevelopment of a gap site which has lain vacant for over 7 years - Noted, but proposals for the redevelopment of the site need to meet requirements of planning policy and guidance.
- Proposal would allow for the removal of an unsightly hoarding around the site - Noted, but proposals for the redevelopment of the site need to meet requirements of planning policy and guidance.
- Developer has discussed the plans with neighbouring residents - Noted.
- Proposal represents an improvement on the previous design and the building would relate well to the rest of the street - Noted, with issues relating to the proposed design outlined in section 3.3b) of the report.
- The slight increase in height from the previous proposal will allow for provision of a lift and suitable disabled access to be provided from the street - Noted, issues relating to the design outlined in section 3.3b) of the report.
- Proposal would block direct sunlight into adjacent property to the west - addressed in section 3.3 c) of the report

In conclusion, whilst it should be noted that design solutions and amendments have been discussed and explored with the applicant, limited improvements have been proposed to the development as originally submitted. The car and cycle parking provision, waste and recycling facilities are poorly conceived and of an unsatisfactory design quality. These issues will adversely affect the quality of residential amenity to occupiers of the units at ground floor level within the development. The number of units proposed is now greater than previously approved schemes and is symptomatic of a proposal that can be regarded as an over development of the site. The proposal would fail to meet the requirements of ECLP Policies Des 3 c) and h), Hou 4, Tra 4, Tra 5, Tra 6 and Edinburgh Design Guidance.

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

3.4 Conditions/reasons/informatives

Conditions:-

Reasons:-

1. The proposed arrangements for car and cycle parking, waste and recycling storage would fail to achieve an acceptable design quality, adversely affecting the amenity of the occupiers of the development. The proposed density of development on the site would fail to create an attractive residential environment and living conditions within the development. The proposed development is contrary to the provisions of the Edinburgh City Local Plan Policies Des 3 d) and h) and Hou 4.
2. The proposed car parking provision and the design of cycle parking facilities would fail to fully address the requirements of the Council's Guidance on parking standards. The proposal would therefore be contrary to the provisions of the Edinburgh City Local Plan Policies Tra 4, Tra 5 and Tra 6

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets 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

32 letters of support have been received, these include responses from 2 Ward Councillors and 30 letters from neighbouring residents. One letter of objection has been received. The responses from the neighbouring residents are based on a standardised letter format and submitted as a petition. Issues raised include:-

- Proposal would allow the redevelopment of a gap site which has lain vacant for over 7 years
- Proposal would allow for the removal of an unsightly hoarding around the site
- Developer has discussed the plans with neighbouring residents
- Proposal represents an improvement on the previous design and the building would relate well to the rest of the street
- The slight increase in height from the previous proposal will allow for provision of a lift and suitable disabled access to be provided from the street
- One letter of objection has been received. Issues raised:-
- Proposal would block direct sunlight into adjacent property to the west

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

6 November 2013

Drawing numbers/Scheme

01D-04D,

Scheme 4

David R. Leslie

Acting Head of Planning and Building Standards

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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.

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of 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 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

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.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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.

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

Appendix 1

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Consultations

Transport Planning - Development Control

No objections to the application having considered revised parking arrangements. The following conditions/informatives should apply

Prior to the issuing of consent the applicant should enter into a suitable legal agreement to make provision for the following;

Contribute the sum of £3000 towards the Public Transport Infrastructure. (Reason;- the development proposals will add additional footfall demand to the network and to encourage the use of public transport improvements are being made to the infrastructure. The contribution will aid the limited council budget). Contribution payable on commencement of development

100% Cycle parking, secure and under cover be provided with an additional Sheffield type rack or locking point at the development entrance point for visitor use.

The revised parking layout falls marginally short of the recommended dimensions for a parking court. However, the parking court will be privately maintained and is within a cul-de-sac with no through traffic. Any additional manoeuvrability that may be required to utilise spaces will not cause any delay in vehicle movements.

Environmental Assessment

We will need a noise impact assessment carried out up-front to address the road noise Robertson Avenue;

The noise impact assessment shall demonstrate that a scheme for protecting all bedrooms and living rooms of the residential development against road traffic noise has been submitted with appropriate mitigation measures detailed. The noise impact assessment should be carried out 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 - 35 dB LAeq, D

T - Night-time 8 hours between 2300 - 0700

D - Daytime 16 hours between 0700 - 2300

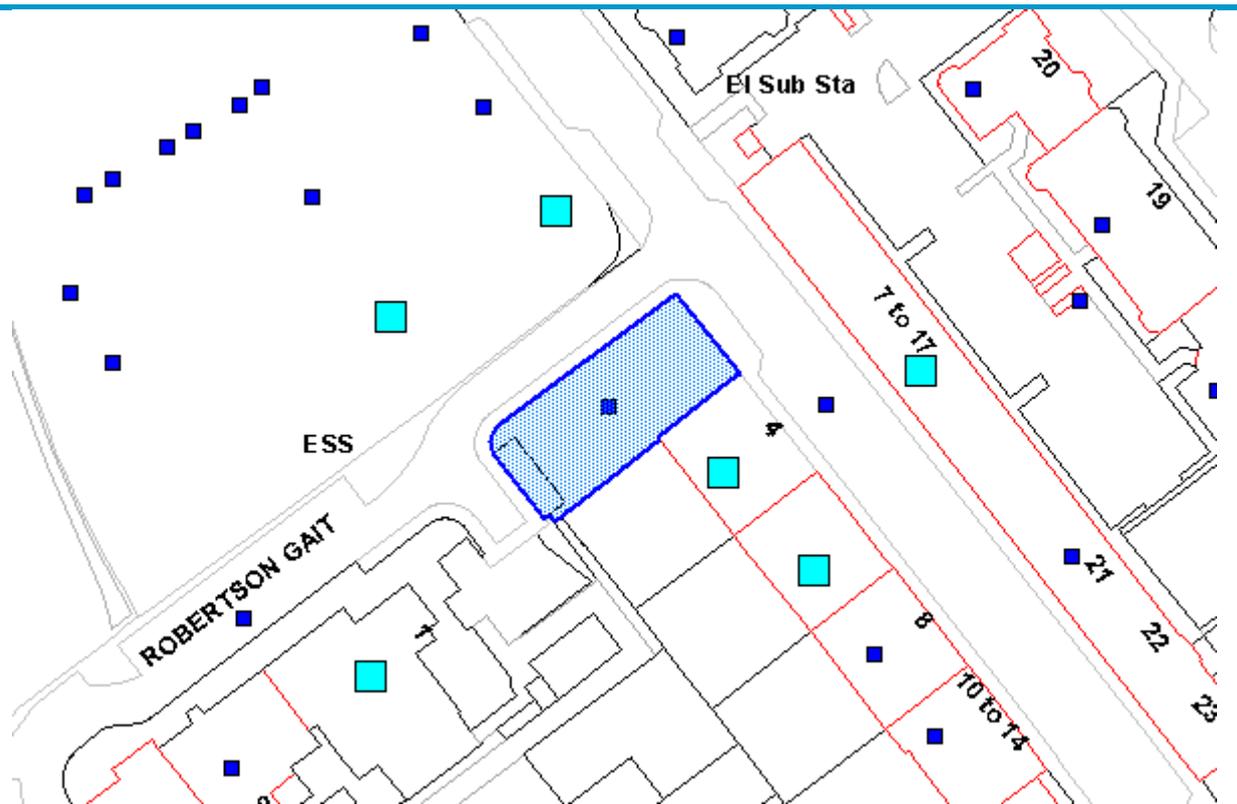
The agreed scheme must be implemented in full, prior to the use being taken up. We shall also be recommending a condition to address contaminated land due to the historic land use.

City of Edinburgh Archaeological Service

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of 10 apartments.

The scale of late 19th-20th century development on site has a significant effect, with the result that it is unlikely that any significant remains will have survived in-situ across the application site. I have therefore concluded that there are no known archaeological implications on this particular site.

Location Plan



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