

Development Management Sub Committee

Wednesday 17 December 2014

**Application for Planning Permission 14/02276/FUL
At 22 Observatory Road, Edinburgh, EH9 3HE
Demolish existing house and build new house.**

Item number	6.5
Report number	
Wards	A15 - Southside/Newington

Summary

The proposal complies with the development plan and the Council's non-statutory guidance. The scale, form and design are acceptable and there is no significant loss to residential amenity. There are no transport issues. There are no other material considerations which would justify refusal.

Links

[Policies and guidance for this application](#) LPC, CITD3, CITD1, CITH1, NSG, NSGD02,

Report

Application for Planning Permission 14/02276/FUL At 22 Observatory Road, Edinburgh, EH9 3HE Demolish existing house and build new house.

Recommendations

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

Background

2.1 Site description

The site lies on the north west side of Observatory Road and relates to a detached dwellinghouse. It is the last house on the road before it turns to access the Royal Observatory (a category A listed building Ref:27740, listed 14 December 1970) . The property is set back from the road with garden ground on all sides and is bounded by mature planting and low walling. The land rises to the west but falls to the north and east of the site. Due to topography, the property is single storey facing Observatory Road but two storeys to the rear. The site lies within a well established residential area where the houses vary in height from single storey to two storeys in height many of which have been altered or extended in some manner.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application proposes to demolish the existing house and replace this with a contemporary styled residential property. The house will be two storeys in height facing onto Observatory Road and three storeys to the rear given the difference in site levels. It will be finished with a flat roof. It will be set back from the road by an area of landscaping with garden ground to the rear and sides.

The proposed materials are natural stone, wood cladding and aluminium framed windows and doors. The top floor and roof coping will be finished zinc clad.

Supporting Information

The applicant has submitted a Design Statement, Massing and Amenity Study, Viewcone Study. These documents can be viewed on Planning and Building Standards On-line Services.

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 residential development is acceptable at this location;
- b) the proposal is of an acceptable scale, form and design;
- c) the proposal will have an acceptable impact on key views;
- d) the proposal will have an acceptable impact on the Special Landscape Area;
- e) the proposal will result in an unreasonable loss of neighbouring amenity;
- f) the proposal will provide unacceptable level of amenity for the future occupiers;
- g) the proposal will have any traffic or road safety issues;
- h) any impacts on equalities or human rights are acceptable; and
- i) comments raised have been addressed.

a) Principle

The application site is located within the urban area. Policy Hou 1 supports the principle of housing on suitable sites within the urban area, provided that the proposal complies with all other relevant Local Plan policies. The proposal is replacing an existing house and is surrounded by residential development.

The principle of the house is acceptable.

b) Scale, form and design

The houses in Observatory Road are detached and given the topography vary from single storey to three storeys in height many have basements while others have attic conversions. The existing house has a plot ratio of 14% while the proposed house has a plot ratio of 17.6%. In comparison, the neighbouring property has a plot ratio of 23.4%. It has a smaller depth and length to the immediate neighbouring houses on Observatory Road. The proposal is in keeping with the size of the existing plot sizes.

The proposal will occupy no more than 1/3 of the depth of the existing garden and it will not dominate the scale of the existing building and its overall curtilage and is satisfactorily proportioned.

The majority of houses were built in the 1930s on Observatory Road and on Blackford Hill Rise were built in the late 1960s and early 1970s where many have a contemporary design with flat or monopitched roofs. In terms of design, the house is contemporary with a flat roof. The concept of the house is to have the garage on the lower ground floor, the bedrooms on the ground floor, kitchen and living rooms on the first floor. The front of the house is finished in natural stone with a zinc clad upper storey set into the main elevation. The west elevation will now be finished in wood. Zinc which is to be used on the new roof is a material used elsewhere within the City and is considered acceptable. The windows are timber framed to retain the character of the street. The choice of materials is acceptable and compatible with the surrounding area.

The existing mature hedge facing Observatory Road is to be removed but this is not protected or worthy of protection.

The overall design and materials are consistent with the surrounding area. The scale, form and design are acceptable.

c) Key views

The site also falls within view cones of several of the Key Views S2, S7, S8 and C8 and E2, as identified within the Council's Edinburgh Design Guidance. A detailed study has been undertaken by the applicant and details have been submitted to demonstrate that where the plot lies within these viewcones, it is not visible from any of the viewpoint, or does not affect the protected skyline.

d) Special Landscape Area

The plot also lies within the site of Special Landscape Area (21) Blackford but the submitted details demonstrate that the proposal will not have a detrimental impact.

e) Neighbouring amenity

Daylighting

The Design Guidance, states that adequate daylighting will be maintained to the existing buildings where the measure of daylighting falling on the wall (the Vertical Sky Component) does not fall below 27%. This standard can be achieved where the new development is kept below a 25 degree line from the midpoint of an existing window. The proposal meets this requirement for both 5 Blackford Hill View and 20 Observatory Road. Daylighting to side or gable windows is not protected by the guidance.

Sunlight

New buildings should be laid out so that reasonable levels of sunlight are maintained to existing gardens and spaces. Whether sunlight to neighbouring gardens will be affected can be tested by checking whether a building rises above a 45 degree line drawn in section from the site boundary. If the development rises above this line, the sunlight of the neighbouring property might be affected.

The 45 degree sets distances from ground level depending upon the orientation in relation to neighbouring gardens. In this case, due to the positioning of the house, there will be overshadowing to both No 22 Observatory Road and No 20 Observatory Road. This will fall in the gable of No.20 Observatory Road. The level of overshadowing is not significant enough to justify the refusal of planning permission. More than half of the garden ground of the neighbouring house is still capable of receiving potential sunlight.

Privacy

The proposed house lies 9.7 metres from the boundary with 20 Observatory Road and there is a window to window distance of 18 metres. To the north the house lies 9.2 metres from the boundary with 5 Blackford Hill View and there is a window to window distance of 19.8 metres which is acceptable and within the terms of the Guidance. There will be no significant change in the existing privacy arrangements.

There is no significant loss of neighbouring amenity.

f) Amenity of future occupiers

The new house is dual aspect and will provide sufficient living accommodation and private outdoor amenity space for the future occupants. The existing boundary treatment is to be retained on the north, east. A new boundary wall to the west is proposed adjacent to the footpath on Blackford Hill to retain the privacy for the new house.

g) Traffic or road safety issues

The existing access arrangements are to be retained and the proposed asphalt for the hardstanding and driveway would prevent any loose chippings being carried out onto the road. Transport offers no objections to the proposals.

h) Equalities or human rights impacts

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

i) Public comments

Material considerations

- scale, form and design addressed in section 3.3b.
- overshadowing, daylighting and loss of residential amenity addressed in section 3.3c.
- loss of existing streetscape addressed in section 3.3b.

Non-material considerations

No comments were received

Community Council

- scale form and design addressed in section 3.3b.

Conclusion

The proposal complies with the development plan and the Edinburgh Design Guidance. The proposal is acceptable in this location. The proposal is of an acceptable scale, form and design. The proposal will not result in an unreasonable loss of neighbouring amenity. There are no material considerations that would justify refusal.

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

3.4 Conditions/reasons/informatives

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. 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.
3. 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.
4. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth).
5. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road.
6. Any gate or gates must open inwards onto the property.

7. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012.
8. The applicant should be informed that prior to carrying out any works to form a footway crossing or remove the existing footway crossing, a Minor Roadworks consent must be applied for and secured.
9. The works to form a footway crossing and to remove the existing footway crossing must be carried out in accordance with "Development Roads - Guidelines and Specification".
See pages 5, 15 & 16 of
www.edinburgh.gov.uk/downloads/file/9579/householder_guidance_2012.

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 or 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

Following the neighbour notification procedure, 17 letters of objection were received and two letters of support from neighbouring properties.

Material considerations

- scale, form and design
- overshadowing, daylighting and loss of residential amenity
- loss of existing streetscape

Non-material considerations

Community Council

Grange and Prestonfield Community Council are concerned that the proposal will appear more dominant due to its scale, form and design.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site lies within the urban area of Edinburgh City Local Plan.

Date registered

5 June 2014

Drawing numbers/Scheme

1-6,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Jennifer Zochowska, Senior planning officer

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

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Consultations

Transport Planning

I have no objections to the application subject to the following being included as conditions or informatives as appropriate:

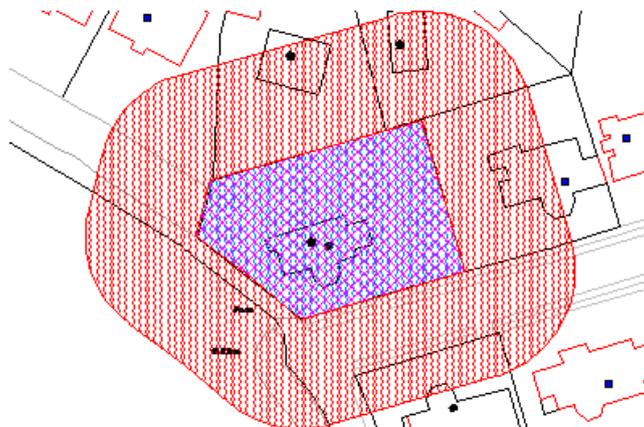
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See pages 5, 15 & 16 of

www.edinburgh.gov.uk/downloads/file/9579/householder_guidance_2012

If you have any queries, please call Matthew Simpson on 0131 529 3426 (Direct Dial).

Location Plan



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