

# Development Management Sub Committee

Wednesday 11 March 2015

**Application for Planning Permission 14/03738/FUL  
At Land 40 Metres West Of 67, Broomhouse Street South,  
Edinburgh  
Erection of 4 dwelling houses and associated landscaping,  
drainage and engineering works (as amended).**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	A07 - Sighthill/Gorgie

## Summary

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There are compelling reasons which justify an exception to the development plan as the proposal is acceptable in this location and is of an appropriate scale and design which will not adversely affect the character and appearance of the surrounding area or result in an unreasonable loss of amenity to neighbouring residents. The proposal will not result in any traffic or road safety issues.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LPC, CITD3, CITD6, CITE12, CITH1, CITH3, CITT4, CITOS1, NSG, NSGD02, OTH, OSS1,
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# Report

## **Application for Planning Permission 14/03738/FUL At Land 40 Metres West Of 67, Broomhouse Street South, Edinburgh Erection of 4 dwelling houses and associated landscaping, drainage and engineering works (as amended).**

### **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 an area of amenity space on the western end of Broomhouse Street South. It is approximately 920 sq.m. in area.

The land is 'L' shaped in plan form and is currently landscaped with grass and trees which line the street. The site is open on three sides with the south side being delineated by a two metre plus high brick wall.

The street pattern and building lines are consistent to the east and north of the site. To the south, there are more mixed building design/types/building lines.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description Of The Proposal**

It is proposed to erect four houses with associated landscaping, drainage and engineering works.

The proposal includes two pairs of semi-detached, two storey, houses with associated private amenity space (gardens). Two houses will face northwards onto Broomhouse Street South and two houses will be at right angles to Broomhouse Street south, facing Broomhouse Road. Each of the houses has off-street parking spaces.

The easternmost pair of houses are set back from Broomhouse Street South aligning with the residential terrace to its east. The pair of houses facing Broomhouse Road takes the line of the houses on the north side of the road.

The houses are of a traditional design with a pitched roof finished in slate with rendered walls with a brick basecourse. They are two bed roomed and have a gross floor area of approximately 76 sq.m.

The proposed boundary treatment includes the retention of the existing brick wall to the south side of the site, the erection of 1.8m high timber fences subdividing each of the gardens and the erection of a 1.8m high masonry wall set back from the Broomhouse Street South frontage.

Two of the three trees on the site are to be retained.

### **Previous Scheme**

The proposal has been revised to address issues raised in representations including a reduction in the number of houses from six to four, extended gardens and repositioned driveways.

### **Supporting Documents**

The applicant has submitted the following document in support of the proposal:

Design and Access Statement

This document is available to view at Planning and Building Standards Online 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 proposal is acceptable in principle;
- (b) the proposal is acceptable in terms of scale and design;
- (c) the proposal has an adverse effect on residential amenity;
- (d) the proposal has any implications for road safety;
- (e) the proposal meets sustainability criteria; and
- (f) comments raised in representations have been addressed.

(a) Principle

The proposal is for the erection of four houses on an area of open amenity space in a predominantly residential area. Policies Hou 1 and Os 1 of the Edinburgh City Local Plan apply.

Policy Hou 1 sets out that housing development will be permitted on suitable sites within the urban area, provided proposals are compatible with other policies in the Plan.

Policy Os 1 seeks to protect all open spaces which contribute to the amenity of their surroundings. Policy Os 1 states that proposals involving the loss of open space will not be permitted unless it is demonstrated that:

- i) there will be no significant impact on the quality or character of the local environment;
- ii) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; and
- iii) the loss would not be detrimental to the wider network including its continuity or biodiversity value and either:
- iv) there will be a local benefit in allowing the development in terms of either alternative equal provision being made or improvement to an existing public park or other open space or
- v) the development is for a community purpose and the benefits to the local community outweigh the loss.

In respect of policy Os 1, the application site is an area of land left over from a historic residential development on the edge of the Broomhouse estate. It does not form part of a designed layout for the residential area. However, it is open and landscaped (grass and three trees). The proposal seeks to erect four houses with gardens and driveways on the site. The northern edge of the site is to remain open and two of the three trees are to be retained. Residential use will be in-keeping with the surrounding area and the open frontage on Broomhouse Street South ensures that there will be no significant impact on the quality or character of the local environment and therefore the proposal accords with criterion i) of policy Os 1.

The open space is a relatively small area of land which has limited amenity and leisure value. The site is located to the east side of Broomhouse Road, the street, which is separated from Broomhouse Road (B701) by a grass verge with trees. The character and amenity of the Broomhouse estate is provided by the grass verge which delineates the western edge of the estate. On the opposite side of Broomhouse Road (B701) is a cleared site (formerly multi-storey flats) and to the north of this site (north-west of application site) is Sighthill Public Park; a significant area of open space. The park provides playing fields, a childrens play area identified in the Open Space Strategy South West Action Plan as having good play value and further to the north there is a five a side football facility.

In addition, the area has access to other play spaces of good value, a stand alone ball court and other Council play spaces at Broomhouse Grove. The Open Space Strategy identifies that the immediate area meets local green space standards. The proposal therefore complies with criterion ii) of policy Os1.

The site has no biodiversity value, is a stand alone area of open space and not included in the Open Space Audit. The loss of the site will not be detrimental to the wider network and accords with criterion iii) of policy Os 1.

In respect of criterion iv) and v) the site is a small area of land and the proposal is for a small-scale residential development. There are no public parks or areas of open space identified for improvement in the vicinity of the site. The nearest being Harvesters Way at Wester Hailes and Redhall Park at Longstone. Notwithstanding this, the level of contribution sought from a development of this size would have no measurable benefit to the local community. Similarly, the requirement for alternative equivalent provision being made would not benefit the local community. On this basis, an exception to criterion iv) and v) of policy Os 1 is justified.

The proposal, subject to compliance with other policies in the Plan, is acceptable in principle.

#### (b) Scale and Design

The proposed layout of the houses has been revised to address the spatial character of the area. The building line along Broomhouse Street South is consistent and the easternmost houses are appropriately set back in line with the existing block to the east. The proposed houses facing Broomhouse Road are also positioned in line with those to their north. However, the building line to the south is more varied and the houses sit behind the house at 367 Broomhouse Road. The proposed houses are of a type and arrangement which continues the mixed character of the houses to its south and is appropriate for this corner plot.

The proposal therefore complies with policy Des 1 and Des 3 of the Edinburgh City Local Plan in relation to having regard to the positioning of buildings on the site, their height, scale and form.

The open character of the site will be lost. However, the open frontage along Broomhouse Street South and the retention of two trees address issues in respect of the visual impact on the streetscene.

Overall, the proposal is acceptable in terms of scale and design.

#### (c) Residential Amenity

In relation to privacy, the rear gardens of the houses identified as plots 3 and 4 on the site plan are over ten metres deep. In relation to the properties on Broomhouse Street South, the houses maintain a window to window privacy distance in excess of the 18.0m requirement. Plots 1 and 2 also comply with the minimum privacy distance requirements.

In terms of daylighting, plots 1, 3 and 4 comply with non-statutory guidance. Plot 2 raises no daylighting concerns as the property at 367 Broomhouse Road is a general grocers shop which has no windows to the rear.

In relation to sunlight, plots 1 and 4 comply with non-statutory guidance. In relation to plot 3, this will result in the overshadowing of a small area (2.6 sq.m. over that considered to have no adverse effect) at the foot of the neighbouring garden of 368 Calder Road. The breach represents approximately 1.15% of the neighbouring rear garden and will not have a significant adverse effect on the amenity of the neighbouring property. Plot 2 raises no sunlight concerns in relation to the property at 367 Broomhouse Road as it is in commercial use and not subject to the sunlight criteria set out in non-statutory guidance. However, in relation to the neighbouring garden of the residential property at 370 Calder Road, the proposal will overshadow a small area (3.3 sq.m. over that considered to have no adverse effect in non-statutory guidance). This infringement equates to 1.4% of the neighbouring rear garden and due to the area affected being at the foot of the garden will not have a significant adverse effect on the amenity of the neighbouring property.

In terms of the amenity of future occupiers of the houses, they are of a size that exceeds the minimum internal floor area set out in the Edinburgh Design Guidance for a two bedroomed house, the properties each have private rear gardens compliant with the minimum 9.0m set out in the guidance and each have a private off-street parking space. The properties are also located adjacent to good public transport links and recreational play space. The houses therefore provide satisfactory amenity for future occupiers.

Overall, the proposal affords satisfactory amenity for future occupiers of the development and will not have a significant adverse effect on neighbouring residential amenity.

#### (d) Road Safety

The proposal has been revised to reduce the number of houses, relocate the vehicular driveways and remove the need for the relocation of a street lighting column. The Head of Transport has no objections subject to a number of informatives relating to the relocation of street lighting columns and the necessary information relating to the construction of dropped kerbs and driveways.

The proposal has no implications for road safety.

#### e) Sustainability

The applicant has advised that to comply with Section 6 Energy of the 2010 Building Standards Regulations, a gas saver unit would be fitted to the boiler in each house (this increases efficiency and reduces gas consumption by up to 35%) and the u-values of the building fabric will be enhanced, increasing the thermal efficiency of the external walls and the roof. The proposal complies with the requirements of Part A of the Edinburgh Standards for Sustainable Buildings.

## (f) Public or Community Council Comments

### **Material considerations -**

- principle of development / loss of open amenity space, taken account of in section 3.3 (a);
- layout not in-keeping with surrounding area, taken account of in section 3.3 (b);
- overdevelopment, taken account of in section 3.3 (b);
- loss of daylight, sunlight and privacy, taken account of in section 3.3 (c); and
- road safety, taken account of in section 3.3 (d).

### **Non-material considerations -**

- noise and disturbance, these relate to construction works and are not material to the consideration of this proposal.

### **Community Council Comments**

Sighthill, Broomhouse and Parkhead Community Council commented on the loss of open space, the proposal not being in-keeping with the surrounding properties and insufficient space for the number of houses proposed. The community council also made suggestions relating to the Council purchasing the land on behalf of the community and the design and number of houses. These points are addressed in the revised proposal and sections 3.3 (a) and (b) above.

### **Conclusion**

In conclusion, there are compelling reasons which justify an exception to the development plan as the proposal is acceptable in this location and is of an appropriate scale and design which will not adversely affect the character and appearance of the surrounding area, or result in an unreasonable loss of amenity to neighbouring residents. The proposal will not result in any traffic or road safety issues. There are no other 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. The remaining two trees on the site (as shown on the revised site plan (02A)) shall be protected during the construction period by the erection of fencing, in accordance with clause 2 of BS5837: 2005 " Trees in relation to construction".
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 Planning Authority before work is commenced on site; Note: samples of the materials may be required.

3. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.

**Reasons:-**

1. In order to safeguard protected trees.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to maintain the existing open landscape character on the Broomhouse Street South frontage.

**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. The applicant shall take into consideration the following transport informatives relating to the development:

The existing lighting column on the east side of the site to be relocated at no cost to the Council. An appropriate lighting design will be required taking into account other lighting columns. Contact Street Lighting, Stuart McLeod Tel 0131 458 8029, email [stuart.mcleod@edinburgh.gov.uk](mailto:stuart.mcleod@edinburgh.gov.uk);

Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);

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;

Any gate or gates must open inwards onto the property;

Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

The applicant should be informed that prior to carrying out any works to form a footway crossing a Minor Roadworks consent must be applied for and secured;

The works to form a footway crossing must be carried out in accordance with Development Roads Guidelines and Specification. See pages 5, 15 and 16 of [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders).

## **Financial impact**

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

There are no financial implications to the Council.

## **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**

#### Scheme 1

Neighbours have been notified of the proposal and seven letters of objection were received. These included comments from neighbouring residents and Sighthill, Broomhouse and Parkhead Community Council. The letters of representation raised the following material issues:

- road safety;
- principle of development/loss of open amenity space;
- loss of daylight, sunlight and privacy;
- layout not in-keeping with surrounding area;
- noise and disturbance; and
- overdevelopment.

Sighthill, Broomhouse and Parkhead Community Council commented on the loss of open space, the proposal not being in-keeping with the surrounding properties and insufficient space for the number of houses proposed. The community council also made suggestions relating to the Council purchasing the land on behalf of the community and the design and number of houses.

## **Scheme 2**

As the revised proposal reduced the number of houses and addressed some of the material considerations raised in relation to scheme 1, no additional publicity was carried out.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

### **Statutory Development Plan Provision**

The application site is located in an Urban Area in the Edinburgh City Local Plan.

### **Date registered**

16 September 2014

### **Drawing numbers/Scheme**

01, 02A, 03 and 05,

Scheme 2

## **David R. Leslie**

Acting Head of Planning and Building Standards

Contact: Brian Fleming, Senior planning officer

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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 Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

Policy Env 12 (Trees) sets out tree protection requirements for new 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 3 (Private Open Space) sets out the requirements for the provision of private open space in housing 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 Os 1 (Open Space Protection) sets criteria for assessing the loss of open space.

#### **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.

#### **Other Relevant policy guidance**

Open Space Strategy- The strategy helps to protect and develop the city's open spaces. It sets standards that will be expected to meet when making decisions on open spaces.

# Appendix 1

## **Application for Planning Permission 14/03738/FUL At Land 40 Metres West Of 67, Broomhouse Street South, Edinburgh Erection of 4 dwelling houses and associated landscaping, drainage and engineering works (as amended).**

### **Consultations**

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#### **Transport Planning**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. The existing lighting column on the east side of the site to be relocated at no cost to the Council. An appropriate lighting design will be required taking into account other lighting columns. Contact Street Lighting, Stuart McLeod Tel 0131 458 8029, email [stuart.mcleod@edinburgh.gov.uk](mailto:stuart.mcleod@edinburgh.gov.uk);*
- 2. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
- 3. 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;*
- 4. Any gate or gates must open inwards onto the property;*
- 5. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
- 6. The applicant should be informed that prior to carrying out any works to form a footway crossing a Minor Roadworks consent must be applied for and secured;*
- 7. The works to form a footway crossing must be carried out in accordance with Development Roads Guidelines and Specification. See pages 5, 15 and 16 of [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders).*

# Location Plan

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