

Development Management Sub Committee

Wednesday 11 March 2015

**Application for Planning Permission 14/04720/FUL
At 7 Rankin Drive, Edinburgh, EH9 3AT
Erection of 2 storey extension to side of house to form
additional bedrooms and change of use to HMO.**

Item number	4.10
Report number	
Wards	A15 - Southside/Newington

Summary

The amended proposals comply with the development plan and the relevant non-statutory guidance, preserve the character and appearance of the property and the surrounding area and would not prejudice road safety or residential amenity.

Links

<u>Policies and guidance for this application</u>	LPC, CITH2, CITH8, CITH9, CITD11, NSG, NSHMO, NSHOU,
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Report

Application for Planning Permission 14/04720/FUL At 7 Rankin Drive, Edinburgh, EH9 3AT Erection of 2 storey extension to side of house to form additional bedrooms and change of use to HMO.

Recommendations

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

Background

2.1 Site description

The application site is located on the south side of Rankin Drive, approximately 60 metres west of the junction with Mayfield Road. The site measures approximately 225 square metres and is occupied by an end of terrace dwelling in a terrace of four. The dwelling is two-storey with render walls and a pitched, concrete tiled roof. The dwelling is set back approximately 4.8 - 6.1 metres from Rankin Drive.

Vehicular access is located in the north-west corner of the site.

Established vegetation is located on the south and west boundaries. A wooden fence is also located on the west boundary.

The site is relatively flat.

Residential developments are located immediately north, south, east and west. The Edinburgh University's King's Buildings Campus is located to the south of West Mains Road.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Scheme Two

The amended proposal is to change the use of the dwellinghouse to a house in multiple occupation for six persons.

The amended proposal includes a two storey side on the property's western elevation. The footprint of the extension would be 3.19 metres in width and 7.75 metres in length.

The extension would have a pitched roof with a cross hipped detail above the first floor window on the rear elevation. The extension would measure 5.28 metres to the eaves and 8.15 metres to the ridge. The extension would be set back 0.4 metres from the principal elevation and 0.15 metres from the ridge.

A window would be located at ground floor and first floor on the front and rear elevations. A window would also be located at first floor on the gable.

The proposed materials would be render for the walls and concrete tiles for the roof.

Existing boundary treatments would be retained.

Scheme One

The extension in the previous scheme was in-line with the principal elevation and the full height of the existing dwelling.

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 the proposal is acceptable in this location;
- b) the proposal is of an appropriate scale, form and design and will not adversely affect the character or appearance of the existing building or the surrounding area;
- c) the proposal affects traffic and parking;
- d) the proposal will result in an unreasonable loss of neighbouring amenity;
- e) the proposal provides sufficient amenity for the future occupiers of the development;
- f) the proposal has any equalities or human rights impacts; and
- g) comments raised have been addressed.

a) Principle

The Town and Country Planning (Use Classes) Scotland Order 1997 considers that a material change of use of a house under Class 9 will occur when more than five unrelated persons reside there. Therefore planning permission for a change of use to a house in multiple occupation is required.

Policy Hou 9 of the Edinburgh City Local Plan supports the conversion of dwellinghouses to houses in multiple occupation (HMO) where there it is not considered to be an excessive concentration of such accommodation. Supplementary planning guidance identifies areas of sensitivity where HMO's exceed 30% of the housing of an area.

The Edinburgh City Local Plan recognises the important role that HMOs play by providing affordable housing for students and others seeking accommodation for a temporary period or who have limited housing choices. On this basis, it is noted that a change of use from a dwellinghouse to an HMO will not result in a loss of housing, but provides alternative provision.

According to HMO Licensing, the property is located in an area where 3.2% of the properties are in HMO use, with 57 HMOs out of 1,779 residential addresses in the postcode sector EH9 3. Should consent be granted for this amended proposal, the concentration of HMOs will remain below 10%.

The principle of the change of use, subject to its impact on residential amenity, is acceptable.

As policy Hou 9 is not being carried forward into the Proposed Local Development Plan, an assessment against policy Hou 8, which sets out that proposals that would have a materially detrimental effect on the living conditions of nearby residents will not be permitted, has been undertaken. This is addressed in assessment d) below.

b) Character and Appearance

The amended proposal would be set back 0.4 metres from the principal elevation and 0.15 metres from the ridge. The extension would be suitably subservient to the original dwelling in scale. The roof would be pitched to match the existing roof form. The cross hipped roof detail would be located on the rear elevation and would not be visible from the street.

The amended proposal would have render walls and a concrete tiled roof. The materials would match the existing.

The amended proposal would not occupy more than one third of the applicant's original rear garden area.

The amended proposal is subservient in form, appropriate in terms of design and materials, and does not result in undue loss of garden ground. The amended proposal would not adversely affect the character or appearance of the existing building or the surrounding area and complies with policy Des 11 of the Edinburgh City Local Plan.

c) Traffic and Parking

The amended proposal is located in an area where there is good access to public transport. Transport has been consulted and raised no objections.

The amended proposal will not adversely affect road safety.

d) Neighbouring Amenity

Noise and Disturbance:

The change of use of the property to a house in multiple occupation will require it to be licensed under the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000 where controls exist to safeguard neighbouring residential amenity from instances of noise, disturbance and anti-social behaviour.

The amended proposal, in this aspect, will provide protection to neighbouring residential properties in terms of safeguarding their amenity.

In terms of policy Hou 8, the associated issues with HMO use potentially include noise, disturbance and anti-social behaviour and normally result from the actions of the individuals, including the landlord, rather than the use. These matters are dealt with in accordance with the terms of the aforementioned legislation.

Policy Hou 2 of the Edinburgh City Local Plan encourages an appropriate mix of dwelling types and sizes. The property is currently a two bedroom dwellinghouse and the amended proposal would increase those numbers by four people. The overall impact of the dwellinghouse being in multiple occupancy, through the increase in footfall, will not have an unacceptable detrimental effect on the living conditions of the occupiers within the surrounding area.

The amended proposal complies with policies Hou 8 and Hou 2 of the Edinburgh City Local Plan.

Privacy:

With regards to privacy, the windows on the south elevation would be in excess of 9 metres from the rear boundary. The window on the side elevation would be less than 9 metres from the boundary, however, the window would be in a gable to gable situation with the neighbouring property and is therefore not protected by the Council's non-statutory 'Guidance for Householders'.

Daylight and Sunlight:

The amended proposal complies with non-statutory 'Guidance for Householders' in relation to daylighting to existing buildings and sunlight to existing development.

The amended proposals do not result in any daylighting, sunlight or privacy issues that would impact upon neighbouring residential properties. The amended proposals do not harm neighbouring residential amenity.

e) Amenity of Future Occupants

The accommodation standards for HMOs are controlled by Licensing and are not matters for control under the planning legislation. Under Licensing, the properties will be inspected as to their suitability and vetting checks are carried out to ensure that the landlord (applicant) is a fit and proper person to hold a licence.

(f) Equalities and Human Rights Impacts

This application has no impact in terms of equalities or human rights.

(g) Public Comments

Material Comments:

- Noise, disturbance and anti-social behaviour - this has been addressed in section 3.3d);
- Overshadowing - this has been addressed in section 3.3d);
- Traffic - increased traffic on local roads and junctions; increased pressure on on-street parking - this has been addressed in section 3.3c);
- Over provision of HMOs - this has been addressed in section 3.3a); and
- Design - this has been addressed in section 3.3b).

Non-Material Comments:

- Fit and proper person - this has been addressed in section 3.3e); and
- Internal accommodation - this has been addressed in section 3.3e).

Conclusion

In conclusion, the amended proposals comply with the development plan and the relevant non-statutory guidance, preserve the character and appearance of the property and the surrounding area and would not prejudice road safety or 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

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.

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

The application was advertised on 24 November 2014 and twelve letters of objection were received from neighbours objecting to the proposal.

The letters of representation raised the following material issues:

- Noise, disturbance and anti-social behaviour;
- Overshadowing;
- Traffic - increased traffic on local roads and junctions; increased pressure on on-street parking;
- Over provision of HMOs; and

- Design - not in character with the area.

Non-material comments raised included reference to the applicant being a fit and proper person and the internal accommodation including the facilities and room sizes.

Background reading/external references

- 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 property is an unlisted building in the Urban Area in the Edinburgh City Local Plan

Date registered

14 November 2014

Drawing numbers/Scheme

01A-02A, 03,

Scheme 2

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Links - Policies

Relevant Policies:**Relevant policies of the Edinburgh City Local Plan.**

Policy Hou 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

Policy Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Policy Hou 9 (HMOs) sets criteria for assessing proposals for Houses in Multiple Occupation.

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Relevant Non-Statutory Guidelines

Non-statutory guidelines on 'HOUSES IN MULTIPLE OCCUPATION' provide guidance on the location of such premises.

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Appendix 1

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Consultations

Transport

I have no objections to the application

Location Plan



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