

# Development Management Sub Committee

Wednesday 12 August 2015

**Application for Planning Permission 15/01344/FUL  
At 7 Boswall Green, Edinburgh, EH5 2BA  
Proposed demolition of single storey dwelling and erection  
of 2 storey flatted property (containing two flats in total) (as  
amended)**

<b>Item number</b>	4.2
<b>Report number</b>	
<b>Wards</b>	A04 - Forth

## Summary

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The proposal is considered a suitable scale, form and design with acceptable materials for its location. The proposal complies with development plan policies and non-statutory guidelines. No other material considerations outweigh this conclusion.

## Outcome of previous Committee

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This application was previously considered by Committee on 03.06.2015.

## Links

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<a href="#">Policies and guidance for this application</a>	LPC, CITD3, CITH1, CITH4, CITE12, NSG, NSHOU, NSGD02,
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# Report

## **Application for Planning Permission 15/01344/FUL At 7 Boswall Green, Edinburgh, EH5 2BA Proposed demolition of single storey dwelling and erection of 2 storey flatted property (containing two flats in total) (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 site contains a bungalow and extends to 386 square metres. Two multi-stemmed immature trees stand on the western boundary.

It lies at a transition point between bungalows (to the west and south-west) and two storey properties (to the east and north).

Gardens in the area are primarily defined by medium height hedging.

#### **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**

The application proposes the demolition of the existing bungalow and its replacement with a two storey building containing a flat on each floor.

The proposed building has a hipped roof form and rendered walls. The western end has a half-hip detail matching that on adjacent two storey buildings and this section is faced in buff brick. Panels around windows are created as "feature panels" using vertical cladding boards. The roof is in concrete tiles.

The upper flat is three-bedroom, the lower flat is two-bedroom. Each has a private parking space to the front and the lower unit also has an integral garage.

Each flat has a private garden area to the rear.

The proposal sits 1.5m further back than the existing building footprint in order to accommodate full length parking spaces to the front.

## Schemes 1 and 2

The proposal originally had a substandard car parking layout. This was amended to allow two fully operational parking spaces.

### 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 density of the proposal is acceptable;
- b) the scale, form, design and materials are acceptable;
- c) effects upon neighbouring amenity are acceptable;
- d) amenity of the proposal is adequate;
- e) parking levels are adequate;
- f) effects upon trees are acceptable;
- g) public comments are addressed; and
- h) equality and human rights issues are considered.

#### a) The Increase in Density is Acceptable

The demolition of the existing house does not require permission. Although the development increases the number of units on site from one to two, the resultant density remains very low in relation to the city as a whole and will be less than the existing urban forms to the east.

The additional unit will not have any significant impact upon local infrastructure such as schools.

#### b) Scale, Form and Design

The proposal closely matches the form and design of existing two storey units immediately to the east.

The proposal sits in roughly the same location on the site as the existing house and continues to match the feuing pattern. The siting and concept comply fully with the objectives contained within the Edinburgh Design Guidance.

The proposed materials are considered to be appropriate to the location.

The design of the proposal is acceptable and fits the character of the area.

As two storey buildings of the same general scale and form already exist throughout the area, the development does not constitute "a precedent".

Whilst a two storey building can be said to be "more visible" than a single storey building, this is not a reason to resist development. There are no protected views within this area, and impact upon private views is not a planning consideration.

The form and design of the proposal is considered to be acceptable.

#### c) Effect upon Neighbouring Amenity

The proposal sits largely within the "gable-to-gable" zone: a zone 13m deep as measured from the street frontage. The very small element which lies beyond this 13m deep zone causes less than 0.5sqm of overshadowing to the adjacent garden ground. As such, the overshadowing is considered acceptable in policy terms. The proposal also fits the urban grain of the area, in accordance with Edinburgh Design Guidance. As the house sits at the north end of its site, the majority of additional effects (in relation to the existing house), primarily affect only land to the north on the applicant's front garden. The closest house northwards lies on the opposite side of the road, some 23m away. Effects upon its sunlight and daylight are insignificant and acceptable.

The proposed rear garden is 9.5m long, with an isolated garden, connecting to 104/106 Granton Road lying to its south.

The addition of windows at first floor meets the requirements of the Edinburgh Design Guidance in terms of privacy. These windows primarily view into the applicant's own garden and are of conventional layout. Oblique views from windows into neighbouring gardens are not considered to be a breach of policy.

The effects of the proposed development upon neighbouring amenity are all acceptable.

#### d) Amenity of the Proposed Units

Each unit is dual aspect and will receive adequate sunlight and daylight.

Each unit has a rear garden of 8m width and 9.5m length which is acceptable for amenity purposes.

It is correctly stated that the upper flat will look into the garden of the lower flat on one side of the building. This is an inevitable consequence of any flatted development where garden ground is private rather than communal. The provision of private rather than communal garden ground is not a reason to resist the proposal. Occupants of the building will be aware of the layout from the outset.

The amenity level of the proposed units is acceptable.

#### e) Parking

Parking is provided in the front garden area. The scheme was amended to permit a full 6m long space, perpendicular to the adjacent road, fully meeting guidance on parking layout. It is accessed over an existing flush kerb. Parking provision is adequate for the two proposed flats. The lower flat also has an integral garage provided.

Boswall Green does not serve large volumes of traffic. Pavement cross-overs, leading to hard-standings or garages, are a common feature of the area.

No road safety issues arise from the proposal.

#### f) Effect Upon Trees

Two multi-stem immature trees, on the western boundary would be prejudiced by the development.

These trees are unprotected and of no significant public value to the streetscape. Their loss, should this arise, is not opposed.

#### g) Public Comments

Eleven objections have been received including comments from Granton and District Community Council (as a representee rather than a consultee).

### **Material Comments**

- the scale of the proposal is inappropriate and will set a precedent - addressed in section 3.3b) of the Assessment.
- effect upon sunlight and daylight - addressed in section 3.3c) of the Assessment.
- visual intrusion - addressed within section 3.3b) of the Assessment.
- effect upon privacy - addressed within section 3.3c) of the Assessment.
- road safety concerns - addressed within section 3.3e) of the Assessment.
- concerns regarding parking provision - addressed within section 3.3e) of the Assessment.
- the upper flat will look into the garden of the lower flat - addressed in section 3.3d) of the Assessment.
- the development will put additional strain on local schools - addressed in section 3.3a) of the Assessment.

## **Non-Material Comments**

- no advertisement was made of the application and no site notice was posted - This is not a requirement outwith conservation areas.
- concerns regarding the proximity of the corners of the parking spaces to the house - This is not a planning concern and is simply an issue of due diligence on the part of occupants.
- the upper flat rather than the lower flat should have the integral garage - there is no requirement for either flat to have an integral garage.
- access to the garage is blocked by the parking to the upper flat - this statement is incorrect.
- debate regarding the property boundary in relation to the existing hedge - this is not a planning concern.
- issues relating to Building Regulations - this is not a planning consideration.
- the building will overshadow the pavement - this is not a planning concern.
- the site is on the edge of a conservation area - the site is remote from any conservation area.

### **h) Equalities and Human Rights**

The proposals raise no equalities or human rights concerns.

### **Conclusion**

The proposal is considered a suitable scale, form and design with acceptable materials for its location. The proposal complies with development plan policies and non-statutory guidelines. No other material considerations outweigh this conclusion.

### **Addendum to Assessment**

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. 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.
3. 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.

## **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 is not subject to 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**

The application received 11 letters of objection, including objection from Granton District Community Council. Reasons for objection were:

- the scale of the proposal is inappropriate and will set a precedent;
- effect upon sunlight and daylight;
- visual intrusion;
- effect upon privacy;
- road safety concerns;
- concerns regarding parking provision and proximity to the house;
- no advertisement was made of the application and no site notice was posted;
- concerns regarding the proximity of the corners of the parking spaces to the house;
- the upper flat rather than the lower flat should have the integral garage;
- access to the garage is blocked by the parking to the upper flat;
- debate regarding the property boundary in relation to the existing hedge;
- issues relating to Building Regulations;
- the building will overshadow the pavement;
- the development will put additional strain on local schools; and
- the site is on the edge of a conservation area.

Councillor Day requested that the application be a Committee item.

## **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 site lies within a broad area of housing defined as Urban Area as shown on the Edinburgh City Local Plan.

**Date registered**

23 March 2015

**Drawing numbers/Scheme**

1,2,3b,4,5a,6a,

Scheme 3

**David R. Leslie**

Acting Head of Planning and Building Standards

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

Policy Hou 4 (Density) sets out the factors to be taken into account in assessing density levels in new development.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

**Relevant Non-Statutory Guidelines**

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

**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**

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### **Transport**

No objection to the car parking layout as revised.

## Location Plan

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