

Development Management Sub Committee

Wednesday 4 November 2015

Application for Planning Permission 15/03729/FUL At Site 19 Metres West Of 128, Glasgow Road, Edinburgh Erection of new covered car parking area.

Item number	4.3
Report number	
Wards	A03 - Drum Brae/Gyle

Summary

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the surrounding area and have no detrimental impact on neighbouring residential amenity or road safety. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LPC, CITD3, CITD11, CITH8, NSG, NSBUS, NSGD02, NSMDV,
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Report

Application for Planning Permission 15/03729/FUL At Site 19 Metres West Of 128, Glasgow Road, Edinburgh Erection of new covered car parking area.

Recommendations

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

Background

2.1 Site description

The application refers to a site on the north side of Glasgow Road comprising an MOT/car repair garage and car wash/valet facilities.

The MOT/car repair building is a single storey, flat-roofed, rendered structure situated along the rear boundary in the north-west corner of the site and there is a similar structure along the east (side) boundary housing a shop and garage lock up.

Twelve designated outdoor car wash bays are located in the central front section of the site and there are seven car parking spaces along the west (side) boundary and a further five spaces along the north (rear) boundary. These latter spaces are to be replaced by the proposed covered car park.

The surrounding area is predominantly residential comprising mainly detached bungalows to the east, west and north of the site and across Glasgow Road to the south. There are some commercial uses along Glasgow Road, including a car sales garage south-east of the application site on the opposite side of the road.

2.2 Site History

13.05.2005 - planning permission refused for redevelopment of former petrol filling station site and erection of two single storey Class 1 retail units with associated car parking, landscaping and access (04/04621/FUL). Appeal against refusal dismissed.

27.09.2005 - planning permission refused for redevelopment of former petrol filling station site and erection of two single storey units comprising one Class 1 retail unit and one Class 2 unit, with associated car parking, landscaping and access (05/02575/FUL). Appeal against refusal dismissed.

15.07.2008 - planning permission refused for redevelopment of former petrol filling station site and erection of five units for Class 2 use and/or Class 3 use with associated car parking, landscaping access and ancillary works (08/00274/FUL). Appeal against refusal dismissed.

07.10.2010 - planning permission in principle granted to subdivide existing plot to form single private housing plot including new vehicle access and dropped kerb (10/02290/PPP).

01.11.2011 - planning permission granted for MOT building and car foam wash facilities (11/01709/FUL).

18.02.2011 - planning permission granted for MOT building and car foam wash facilities (10/02232/FUL).

31.01.2012 - planning permission granted to erect single storey building comprising garage lockup and Class 1 shop unit along east (side) boundary of site (11/03719/FUL).

29.04.2013 - planning permission refused for change of use from vacant retail unit to pizza/pasta hot food takeaway (12/04528/FUL).

03.06.2013 - planning permission refused to erect single storey building comprising office and lock up garages along north (rear) boundary of site (13/01034/FUL). Refusal was on the basis that the proposal would result in the intensification of a commercial use in a mainly residential area which would have an adverse effect on neighbouring residential amenity and road safety due to increasing right turn manoeuvres.

05.12.2013 - planning permission refused to erect single storey building comprising office and indoor car wash/valet bay facilities along north (rear) boundary of site (13/03822/FUL). Refusal was on the basis that the proposal would result in the intensification of a commercial use in a mainly residential area which would have a detriment effect on neighbouring residential amenity and road safety due to increasing right turn manoeuvres.

Main report

3.1 Description Of The Proposal

The application is to erect a covered car park with five parking spaces along the rear (north) boundary of the site.

The proposed car park comprises a single storey, rendered structure with a green mineral felt mono-pitch roof measuring 14.5 by 6 metres in area. The building matches the height of the boundary wall where the two structures meet, i.e. 2.6 metres, and the roof slopes upwards away from the wall to a highest point of 3.5 metres.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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 proposals have an adverse effect on the character and appearance of the surrounding area;
- b) the proposals have an adverse impact on neighbouring residential amenity;
- c) the proposals are detrimental to road safety;
- d) any impacts on equalities or human rights are acceptable; and
- e) public comments raised have been addressed.

a) Character and Appearance of Surrounding Area

The proposed covered car park will continue the line of existing commercial buildings along the north (rear) boundary of the site. The structure is consistent with these buildings in terms of design, height and appearance.

The proposals will therefore have no adverse effect on the character and appearance of the surrounding area.

b) Neighbouring Residential Amenity

The current use of the site as an MOT/car repair and car wash/valet facility is authorised under previous planning consents 10/02232/FUL and 11/01709/FUL. The current application is for a covered car parking area and this is what has to be assessed against the relevant local plan policies and planning guidelines, rather than speculative future uses of the structure.

The level of noise likely to generate from the proposed covered car parking area is not significant, given the current use of the site for MOT/car repair and car wash/valet operations and existing use of the area on which the car park is to be sited as five car parking spaces.

Even if the structure were to be used as an additional car wash/valet area, the above consents have no restrictions on the specified use. The applied conditions relate to noise levels and hours of operation, i.e. 08.00hrs to 18.00hrs Monday to Sunday.

The proposed structure complies with the daylighting standards as set out in the Edinburgh Design Guidance. The height of the proposed building matches that of the existing north (rear) boundary wall where the two structures meet.

The roof slopes gradually upwards to a highest point of 0.9 metres above the height of the boundary wall. This highest point is 7.5 metres away from the nearest residence at 7 North Gyle Farm Lane and the impact of the structure on daylighting for this property is insignificant.

The appeal decision referred to in the neighbours' petition refers to the 2008 refusal of planning permission to erect five units for Class 2 use and/or Class 3 use (08/00274/FUL). This application proposed a structure running the entire length of the north (rear) boundary at a height of 4.3 metres on the boundary line. This is 1.7 metres higher than the height of the existing rear boundary wall and would have had a significant detrimental impact on daylighting for the nearest neighbour. The structure proposed in the current application is 0.8 metres lower than the structure proposed in 2008 and matches the height of the boundary wall at its lowest point.

Private outlooks are not protected by planning legislation so the fact that the closest neighbour will look onto a rising mono-pitch roof cannot be considered as part of the assessment of the proposed development. The proposal will not harm the immediate outlook of this neighbour as the height of the building matches the height of the existing mutual boundary wall where the two structures meet.

The proposals will not therefore have an adverse impact on neighbouring residential amenity.

c) Road Safety

The proposed development comprises a covered car park with the same number of car parking spaces as on this part of the site already. This will not generate additional traffic levels and Transport has stated no objections to the proposals.

The proposals are not therefore detrimental to road safety.

d) Equalities and Human Rights

The application has been assessed and has no apparent impact in terms of equalities or human rights.

e) Public Comments

The material concerns raised are as follows:

- the description of the proposed development is inaccurate - this has been addressed in section 3.3 b). The submitted plans depict a covered parking area in accordance with the application description and this is what must be assessed rather than speculative future uses of the structure.
- the use of the covered car park for car valeting will cause noise disruption to neighbouring residents - this has been addressed in section 3.3 b). This is not the stated purpose of the proposed structure and there are no restrictions on the use of the site as an MOT/car repair and car wash/valet facility.

- more vehicles to-ing and fro-ing will cause increased traffic noise - this has been addressed in section 3.3 b). The covered car park will replace five existing car parking spaces therefore the proposed development will cause no significant increase in traffic noise.
- loss of daylight from erection of a blank walls along the rear boundary - this has been addressed in section 3.3 b). The proposed development will have no significant impact on daylighting and complies with the daylighting standards as set out in the Edinburgh Design Guidance.
- danger to pedestrian and traffic safety - this has been addressed in section 3.3 c). There will be no increase in the number of parking spaces on this part of the site therefore the proposed development will cause no danger to pedestrian or traffic safety.

Conclusion

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the surrounding area and have no detrimental impact on neighbouring residential amenity or road safety. There are no identified impacts on equalities or human rights and no material considerations that 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

A petition has been received with ten signatures.

Material Objections

- inaccurate description;
- noise disruption to neighbouring residents;
- loss of daylight;
- increased traffic noise; and
- danger to pedestrian and traffic safety.

The comments relating to planning violations are non-material to this application.

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

Date registered

12 August 2015

Drawing numbers/Scheme

01 - 05,

Scheme 1

David R. Leslie

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

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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

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 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Appendix 1

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Consultations

Transport Planning

I have no objections to the application.

Location Plan



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