

Development Management Sub Committee

Wednesday 9 November 2016

**Application for Planning Permission 16/03163/FUL
At Flat 5, 20 Murieston Lane, Edinburgh
Alterations to a single dwelling to form an additional
property (as amended).**

Item number

Report number

Wards

A07 - Sighthill/Gorgie

Summary

The proposal, to alter a two bedroom flat into two studio flats, complies with policies Des 1, Des 11 and Hou 2 of the Edinburgh City Local Plan and is acceptable in this location. The proposed changes will have a minimal impact on neighbourhood amenity. There are no material considerations to outweigh this decision.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD11, CITH2, NSG, NSHOU, NSGD02,

Report

Application for Planning Permission 16/03163/FUL At Flat 5, 20 Murieston Lane, Edinburgh Alterations to a single dwelling to form an additional property (as amended).

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 3rd floor of 20 Murieston Lane. The surrounding area is residential, predominately flats. The site is not within a conservation area, nor does the building have listed status.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

This application is to alter a single dwelling to form an additional property.

The amended plans show two studio apartments, each with a floor space of 36m². The proposal involves the removal and installation of non-load bearing walls, and the removal of the existing front door, creating a small foyer. The existing bathroom is to be retained, and an additional bathroom is to be installed. The existing kitchen is to be removed, and two new kitchen areas are to be added to the property. No windows are to be altered.

Scheme 1

The original scheme proposed changing the existing 2 bedroom flat into 2x 1 bedroom flats, one with a floor space of 40.5m², and one with 31m². This has been amended to 2x studio flats, each with a floor space of 36m².

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 proposal is acceptable in principle;
- b) the proposal will result in the creation of a satisfactory living environment;
- c) the proposal will be detrimental to neighbouring amenity;
- d) the proposal will raise any transport and road safety issues;
- e) any public comments raised have been addressed; and
- f) any impacts on equalities or human rights are acceptable.

a) Principle of the proposal

The proposal complies with policy Des 1 of the Edinburgh City Local Plan; the proposal will contribute towards a high quality, sustainable living environment. The proposed alterations will not be damaging to the character or appearance of the area.

b) Quality of the Living Environment

The amended proposal complies with the Council's non-statutory Design Guidance regarding floor space requirements, with each studio flat having a floor space of 36m².

The proposal will therefore result in the creation of a satisfactory living environment.

c) Neighbouring Amenity

Policy Des 11 of the Edinburgh City Local Plan states "*Planning permission will be granted for alterations and extensions to existing buildings which: c) will not be detrimental to neighbourhood amenity and character.*" The proposal to create an additional property complies with this policy as the addition of one property would not change the character of the existing block of flats. The proposal does not alter the number of bedrooms.

The proposal complies with policy Hou 2 of the Edinburgh City Local Plan, and section 2.10 of the non-statutory Design Guidance, both of which encourage a mix of housing types and sizes.

The addition of one bathroom and one kitchen will not be cause for concern on the existing infrastructure. A building warrant would be required for these works.

The addition of one extra dwelling will not result in a significant increase in noise or activity, especially as the existing dwelling has the same number of bedrooms as the proposed plans.

The proposal will not have an adverse impact on the amenity of the neighbouring residents.

d) Transport and Road Safety

The Roads Authority was consulted and has raised no objections to the proposal. However, it did comment on the availability of parking, stating that the area is eligible for one parking permit per property. This is included as an informative.

Increases to congestion will be minimal, as the proposal is for the addition of one flat only.

e) Public Comments

This application received 9 neighbour objections and one objection from an elected member. No comments were made in support of the proposal.

The material considerations are as follows:

- Issues with parking spaces available for tenants - assessed in section 3.3 (d).
- Concerns raised over the potential for increased traffic - assessed in section 3.3 (d).
- The capability of the existing infrastructure, specifically with regards to an additional bathroom being installed - assessed in section 3.3 (c).

The following are non-material planning considerations, and are therefore considered not relevant:

- The proposal not conforming with the title deeds.
- The potential for a high tenant turnover.
- A negative impact on the community due to the potential for a high turnover of tenants.
- Problems arising from the construction period, particularly noise generation.
- The potential for a precedent to be set for further applications similar to this one.
- Detrimental to the value of properties.
- Issues surrounding building maintenance.
- Increased noise from additional residents in the area.

f) Human Rights and Equalities

This application was assessed in terms of potential impacts on human rights and equalities. There were no impacts found on human rights and equalities.

Conclusion

The proposal to alter a two bedroom flat into two studio flats complies with policies Des 1, Des 11 and Hou 2 of the Edinburgh City Local Plan, and is acceptable in this location. The proposed changes will have a minimal impact on neighbourhood amenity. The Roads Authority has raised no objections to the parking in Rose Court. There are no material considerations to outweigh this decision.

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 works 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 should be advised that:
as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted).

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

This application received 9 neighbour objections, and one objection from an elected member.

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	Edinburgh City Local Plan
Date registered	29 June 2016
Drawing numbers/Scheme	01-02, 03(a),

John Bury

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PLACE
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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

Application for Planning Permission 16/03163/FUL At Flat 5, 20 Murieston Lane, Edinburgh Alterations to a single dwelling to form an additional property (as amended).

Consultations

Transport

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

The applicant should be advised that:

as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted).

Location Plan



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