

# Development Management Sub Committee

Wednesday 22 February 2017

## Application for Planning Permission 16/04284/FUL

At 9 Park Crescent, Edinburgh, EH16 6JD

**Demolition of existing single storey extension and change of use of an office (class 2) into a pair of semi-detached dwelling houses, including alterations to form two dwellings of one and a half storey height (one with part basement) with garages, car parking and gardens.**

<b>Item number</b>	7.2
<b>Report number</b>	
<b>Wards</b>	A16 - Liberton/Gilmerton

## Summary

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The proposal is acceptable in principle and represents sustainable development as defined in the adopted Edinburgh Local Development Plan (LDP), and Scottish Planning Policy.

The proposal is acceptable with respect to use, layout, design and materials. The proposal's impact on traffic, road safety, parking, flooding, drainage or neighbouring amenity has been assessed and is also acceptable. The proposal complies with relevant policies in the Development Plan and associated non-statutory guidance.

The proposal is acceptable. There are no material considerations which outweigh this conclusion.

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## Links

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[Policies and guidance for this application](#)

LHOU05, LDES01, LDES04, LDES07, LDES12, LTRA02, LTRA04, NSP, NSGD02, NSHOU,

# Report

**Application for Planning Permission 16/04284/FUL  
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Demolition of existing single storey extension and change of use of an office (class 2) into a pair of semi-detached dwelling houses, including alterations to form two dwellings of one and a half storey height (one with part basement) with garages, car parking and gardens.**

## 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 property is a former single storey office with a single storey link building and single storey offices attached. The property dates from the early-to-mid 20th century and is finished in cement harl with regular fenestration details. To the north, south and west are residential properties with their back gardens conterminous with the site. To the east is a cemetery. The boundary is surrounded by a stone wall which varies in height between 2 and 2.5 metres.

### 2.2 Site History

15 July 1982 - Planning application for a change of use (COU) from telephone exchange to residential or light industrial. Mixed decision issued by Committee to grant the COU to residential and refuse the COU to light industrial (00464/82).

29 September 1982 - Planning permission granted for COU from telephone exchange to community centre for the handicapped. Subject to conditions relating to cooking, amplified music and hours of operation (01391/82).

16 November 1983 - Planning permission granted for COU from telephone exchange to form 2 dwellinghouses. Subject to the condition that parking for 3 cars was provided (01983/83).

5 January 1984 - Planning permission refused for COU from telephone exchange to form 5 dwellinghouses. Refused on the basis that the proposal would constitute overdevelopment of the site, insufficient garden ground and inadequate privacy distances. This scheme involved the formation of a new mansard roof to the existing building (01622/83).

15 February 1984 - Planning permission granted for COU from telephone exchange to office (02483/83).

18 October 1989 - Planning permission granted for the erection of an extension to existing office (2220/89).

## **Main report**

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

*The application was not considered at the Development Management Sub Committee of 21 December 2016 at the request of the Convener. A Committee site visit has since taken place on 20 January 2017 and the report updated.*

The proposal is to convert an existing building, which was formerly an office (Class 2) into two four-bedroomed houses of one and half storeys, one with a basement.

The detailed proposals are as follows:

Demolish existing single storey office block and link building to the south of the site; and form two four-bedroomed houses within the remaining office with stairs to upper storeys.

North Elevation: Form two new glazed door openings, two rooflights and new replacement windows.

South Elevation: Form new doorway and glazed doors, replacement windows, two velux rooflights and retain existing traditional timber door.

West Elevation: Insert new windows and two sets of four rooflights.

East Elevation: Two new doors, ten velux rooflights, two stainless steel roof vents.

Externally, it is proposed to form grassed areas and two sets of decking with metal canopies and retractable awnings. It is also proposed to install permeable block paving. All existing cast iron rainwater goods are to be retained and re-used.

### **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 is acceptable in terms of alterations and extensions to the existing building;
- c) the proposal is of an appropriate density, layout, scale and design;
- d) the proposal will have an adverse impact on traffic, road safety and parking;
- e) the proposal will have an adverse impact on neighbouring amenity;
- f) the proposal will be acceptable in terms of flooding, drainage and sewage;
- g) the proposal meets sustainability criteria;
- h) any impacts on equalities or human rights are acceptable; and
- i) comments raised have been addressed.

#### a) Principle

The application site is located in the Urban Area as designated by the adopted Edinburgh Local Development Plan (LDP).

Policy Hou 5 supports conversion to housing, and states, that planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided that a satisfactory residential environment can be achieved, housing would be compatible with nearby uses, appropriate open space, amenity and car parking standards are met, and that the change of use is acceptable having regard to other policies in the plan, including those that seek to safeguard or provide for important or vulnerable uses.

Taking each of these criteria in turn, the conversion of the existing building into two houses, with garden area, garages and land incidental to the enjoyment of the dwelling house would create a satisfactory residential environment. The proposed new use is situated in an area of residential uses with other residential properties immediately bounding the site. There would be an appropriate level of amenity, and car-parking standards are met.

It can therefore be concluded that such a use would comply with Policy Hou 5.

The redevelopment of the existing employment site would not prejudice or inhibit the activities of nearby employment uses in accordance with policy Emp 9.

The proposal is acceptable in principle.

#### b) Alterations and Extensions to Existing Buildings

The proposed alterations are acceptable in scale, materials and design. The main interventions are new doorways and doors, and rooflights. These alterations are small-scale in nature and will not have an adverse impact on the existing building. The proposals comply with the Edinburgh Design Guidance and LDP policy Des 12.

The proposed demolitions to the outbuildings and link buildings will respect the existing building, and help to form suitable amenity space surrounding the two new houses. The associated modern interventions also respect the character of the surrounding area.

#### c) Density, Layout, Scale and Design

There will be no adverse impact in terms of density, layout, scale and design. The proposals are contained within the site, the existing entrance will remain and the proposals respect the scale and design of the existing buildings. The new layout and materials will provide a more formal arrangement. The grassed areas, and permeable block paving will assist with the mitigation of drainage and surface rainwater run-off. The proposals comply with the Edinburgh Design Guidelines in this regard.

The application raises no issues in relation to LDP policies Hou 2 and Hou 4.

#### d) Traffic, Road Safety and Parking

There will no adverse impacts in terms of traffic, road safety and parking for this development. The proposals for four car parking spaces comply with LDP Policy Tra 4 with regard to Private Car Parking and the Parking Standards. There are no Roads Authority objections to the application subject to a number of informatives, which are attached to this report.

#### e) Neighbouring Amenity

The principle of the re-use of the building as residential is compatible with neighbouring amenity.

There are no overlooking or privacy issues as the nearest window-to-window distance is more than 24 metres, which meets the minimum standard of 18 metres within the Edinburgh Design Guidance.

The new houses will overlook the rear garden ground of properties on Park Grove, Park Crescent and Park Gardens, but privacy will be maintained. The distance from first floor roof rooflights to each of the gardens at numbers 1, 2 and 3 Park Grove is in excess of 11 metres. This complies with the Edinburgh Design Guidance, which recommends a minimum distance of 9 metres between the site boundary and the new rooflights. In addition, the cill height of the proposed rooflights is at 1.8m above internal floor level and therefore the occupants will have no direct view to ground levels.

The existing boundary wall between the site and 1 - 3 Park Grove is between 2 metres and 2.5 metres in height and as such there will be no overlooking issues at ground floor level. The garden ground of these neighbouring properties sits at an elevated level from the application site and any overlooking is likely to be into the application site.

Concerns have been raised relating to noise and disturbance from the proposed parking area against the garden boundary wall of 1 - 3 Park Grove. The existing commercial use of the premises is to be replaced with residential which generally has less impact and traffic movements. Any noise created by the parking of cars at a residential property would not be sufficient to refuse planning permission. It is considered that there will be no significant impact on amenity by way of noise.

#### f) Flooding, Drainage and Sewage

The site is not situated within a Flood Risk Area.

There are no implications for flooding, drainage and sewage as the existing systems will be used. The new layout and materials will provide a more formal arrangement and the grassed areas, and permeable block paving will assist with the mitigation of drainage and surface rainwater run-off. This is a positive improvement to the existing situation, where the site comprises hardstanding to all external areas.

#### g) Sustainability

The site is located within an urban location, well located with respect to public transport and is well connected by foot to the wider area.

The existing building will be re-used, and a number of energy measures such as new double glazed windows and doors are to be installed, which will assist with energy efficiency.

The proposal represents sustainable development.

#### h) Equalities and Human Rights

The application has been assessed and has no adverse impact in terms of equalities or human rights. Concerns have been raised in representations submitted relating to the impact the proposed development would have under the Human Rights Act, relating to peaceful enjoyment of possessions and the right to respect for private and family life. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. The proposed development complies with relevant policies which have been assessed to be compatible with the Human Rights Act.

#### i) Public Comments

It should be noted that where objections have made reference to policies in the Edinburgh City Local Plan (2010), the application has been assessed under relevant policies of the Edinburgh Local Development Plan (2016).

## **Material Representations: Objections**

- Concern about privacy and overlooking (assessed in 3.3e);
- Siting of roof windows on the south elevation of the building, which will overlook neighbour's garden and impinge on privacy (assessed in 3.3 e );
- Inadequate provision for parking which will spill over onto Park Grove, which is a small, narrow cul de sac (assessed in 3.3d);
- Potential road safety issues as residents are ageing and vulnerable and require daily care and medical visits (assesses in 3.3d);
- Negative impact on amenity (assessed in 3.3e);
- Potential disturbance and noise from the new proposed layout with a garage (assessed in 3.3e);
- Intensification of use and overdevelopment of the site (assessed in 3.3a);
- Does not respect local context and street pattern (assessed in 3.3 c);
- Does not comply with Policies Des 11, Des 5 and the Edinburgh Design Guidance with regard to detrimental impact on residential amenity, loss of privacy and overlooking (assessed in 3.3e);
- Does not comply with Edinburgh City Local Plan (ECLP) Policies Des 1, 3, 5 and Hou 2, 4 regarding housing density/character and design (assessed in 3.3c);
- Does not comply with Policies Tra 4, the Non-Statutory Guidance on Parking Standards and Edinburgh's Local Transport Strategy 2014-2019 with regards to inadequate parking, access and road safety (assessed in 3.3d); and
- Does not comply with policies ECLP Emp 3, EMP 4, Hou 5 and Hou 8 with regards to change of use (assessed in 3.3a).

## **Non-Material Representations**

- Proposed demolition of outbuildings wall may cause structural damage to mutual boundary wall.
- Precedent for future development.
- Proposed new planting will result in overshadowing.
- Restrictions on hours of operations.

## **Conclusion**

The proposal is acceptable in principle and represents sustainable development as defined by the adopted Local Development Plan (LDP), and Scottish Planning Policy (SPP).

The proposal is acceptable with respect to density, layout, scale and design and it will not have an adverse impact on amenity. The proposal's impact on traffic, road safety, parking, or neighbouring amenity has been assessed and is also acceptable. The proposal complies with all relevant policies in the adopted Edinburgh Local Development Plan and associated non-statutory guidance.

The proposal is acceptable. 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**

#### **Conditions:-**

1. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

#### **Reasons:-**

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

#### **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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from:  
[www.groundstability.com](http://www.groundstability.com)

5. Any off-street parking space should comply with the Council's Guidance for Householders  
(see [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders)) including:
  - a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);

- b. 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;
- c. Any gate or doors must open inwards onto the property;
- d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
- e. The works to form any footway crossing must be carried out under permit and in accordance with the specifications.  
See Road Occupation Permits  
[http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point).

## **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:**

This application was assessed in terms of equalities and human rights, and does not raise any issues.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

The 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**

The proposals were advertised on the 13 October 2016. Eight letters of representation, all objections, were received, including one from a Councillor.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The application site is located in the Urban Area of the adopted Edinburgh Local Plan. It is situated within a Coal Mining Standing Advice Area.

**Date registered**

5 September 2016

**Drawing numbers/Scheme**

01-18,

Scheme 1

**David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

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

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

**Non-statutory guidelines** on 'PARKING STANDARDS' set the requirements for parking provision in developments.

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

# Appendix 1

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## **Consultations**

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### Roads Authority Issues

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

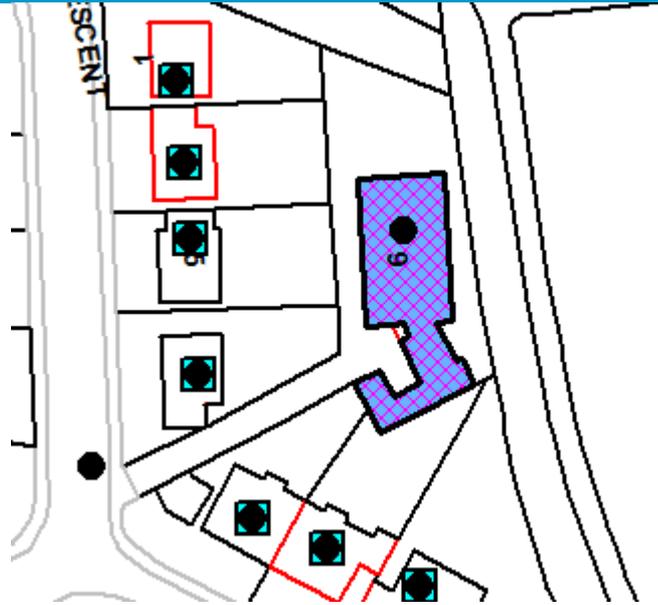
1. Any off-street parking space should comply with the Council's Guidance for Householders (see [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders)) including:
  - a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
  - b. 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;
  - c. Any gate or doors must open inwards onto the property;
  - d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
  - e. The works to form any footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)

### Note:

The proposed 4No. parking spaces meet current Council parking standards.

## Location Plan

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