

Development Management Sub Committee

10.00am, Wednesday 8 March 2017

**Application for Planning Permission 16/06310/FUL
At Windmill House, 21 Coltbridge Gardens, Edinburgh
Change of use from Class 9 (houses) to Sui Generis (flatted
development) through the subdivision of an existing
detached residential property into 3 apartments.**

Item number	4.3
Report number	
Wards	A05 - Inverleith

Summary

The proposed subdivision is acceptable in principle and has no impact on the character or appearance of the conservation area. The parking level is adequate and the two access routes are considered adequate in terms of road safety. No other considerations outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LHOU02, LHOU03, LHOU04, LTRA02, NSG, NSGD02,
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Report

Application for Planning Permission 16/06310/FUL At Windmill House, 21 Coltbridge Gardens, Edinburgh Change of use from Class 9 (houses) to Sui Generis (flatted development) through the subdivision of an existing detached residential property into 3 apartments.

Recommendations

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

Background

2.1 Site description

The property is a very substantial modern house built to echo Georgian aesthetics in the 1990s. The existing house has a floor area of around 800 square metres and stands on a site of 3600 square metres.

The house is heavily screened from public view. The closest potential public viewpoint to the house is from the Gallery of Modern Art, to its north-east. However, the building is wholly unseen from that site due to heavy tree coverage. Equally, it is unseen from the Water of Leith Walkway to its south-east for the same reason.

Vehicular access is from Coltbridge Avenue, which leads into Coltbridge Gardens, which combine to create a long and twisting cul-de-sac, which becomes more and more rural in character along its length until eventually changing to a private lane. This lane leads to the house in question, some 100 metres beyond the end of the adopted road. The lane is surfaced in tarmac but lacks kerbs. The lane also serves one further property to the north-east of the site, generally referred to as the "coach-house".

The house is only visible in one view beyond its ownership boundaries: a private view from the playing fields of St George's School to the north-west.

This application site is located within the Coltbridge and Wester Coates Conservation Area.

2.2 Site History

4 June 1993 - permission granted to erect current house (application number: 93/00929/FUL).

26 October 2006 - permission granted to erect garage (application number: 06/03176/FUL).

19 February 2008 - permission granted for new access (application number: 08/00118/FUL) - this is the lower access referred to in the report.

20 December 2011 - permission refused for new house on garden ground (application number: 11/03470/FUL) Reason: scale and location would adversely impact on conservation area; impact upon trees.

20 November 2013 - permission refused for new house on garden ground (application number: 13/02926/PPP) Reason: failure to demonstrate impact on conservation area; impact upon trees.

11 May 2015 - permission granted to split garden into two plots (application number: 15/00260/FUL).

Main report

3.1 Description Of The Proposal

The application proposes subdivision of the existing property into three flats. Each unit has multiple bedrooms. The proposed flat sizes are 260, 200 and 330 square metres respectively.

Surrounding land will largely be allocated on a communal basis but each unit will have its own area of private land.

Car parking areas are largely unaltered but are allocated to specific properties: five spaces at the upper area; two in the lower area.

Access is unaltered, and comprises an upper and lower lane, each approaching from the south-west.

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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposed development is acceptable;
- b) the proposed external alterations impact on the character or appearance of the conservation area;
- c) parking and access are adequate;
- d) amenity of all units is adequate;
- e) drainage of parking is adequate;
- f) comments are addressed; and
- g) equality and human rights issues are considered.

a) Principle of Development

No physical alterations are proposed requiring planning permission and the only issue to be assessed is the subdivision of the house into three units.

Policy Hou 2 of the Local Development Plan considers Housing Mix. The existing premises is a 19 apartment house, greatly exceeding the average size of local houses. Whilst this diversification does better meet the objective of housing mix, there is no demand for units of this size. The subdivision creates two three-bedroom units and one five-bedroom unit. This better reflects local demand, and the creation of flats rather than houses addresses the diversification of unit type. Policy Hou 2 is therefore met.

Policy Hou 4 of the LDP considers housing density. The existing density equates to under 3 houses per hectare, amongst the lowest of densities in the city. The revised density would total just over 8 houses per hectare, remaining in the very lowest of densities within the urban area.

The increase in density is acceptable.

b) Impact on the Conservation Area

Coltbridge and West Coates Conservation Area Character Appraisal

The enclosure of steeply sloping banks... create a sense of "being in the country" almost right at the city centre".

None of the physical alterations to the building exterior are of a nature which would require planning permission if considered independently.

There is no impact upon the conservation area's character or appearance.

c) Parking and Access

Policy Tra 2 of the LDP considers parking standards.

Parking largely utilises existing parking areas (and is unaltered), but is to be allocated to the three specific properties. Parking standards are fully met.

The site has two existing vehicular access points which will continue to serve the development. The lower access will access one unit (two parking spaces), the upper access will access two units (five parking spaces). The lower access is level, wide and in good condition. The upper access is steep in its western section and the surface is disturbed by tree routes. Although there is a central "beaten track" in the upper access, its total width exceeds 5m and there is sufficient room for vehicles to pass.

It is noted that Coltbridge Gardens (which leads to the private lane) contains two right angled bends (one with poor visibility) plus a pinchpoint where it attaches Coltbridge Avenue. These sections form part of the adopted road network and are not the responsibility of the applicant. The increase in traffic is not considered significant in relation to the total road usage.

The alterations may cause an increase in vehicular and pedestrian use of the existing lanes. However, the increased use would not trigger any requirement to bring the lane up to adoptable standards, nor are numbers so significant as to give rise to any clear safety concern. The Roads Authority does not object but highlights that further development of the site may trigger a requirement to bring the lane up to adoptable standards.

Right of access from the existing lanes is solely a legal issue, but appears broadly unchanged in relation to the existing status quo. This is highlighted within an Informative.

d) Amenity of the Proposed Units

The Edinburgh Design Guidance contains guidance on minimum floor areas for residential properties.

All units greatly exceed the guidelines. Each unit views has in all four directions and each has ample garden ground.

The amenity of each unit is acceptable.

e) Drainage of Parking Areas

The majority of parking already exists on site and there is little alteration to physical hard-standing.

The net impact of additional hard standing is not significant in relation to the existing soft landscaping which remains extensive.

The rainfall retention capacity of the site should not alter in any significant way.

f) Public Comments

Supporters stressed the lack of suitability of the existing large house to modern needs and the benefits of creating three large units.

Reasons for objection were:

Material Comments

- The existing access road is unsuitable/ road safety concerns - addressed in section 3.3 c) of the Assessment.
- A SUDS assessment is not included - addressed in section 3.3 e) of the Assessment.

Non-material Comments

- The road is unsuitable for construction vehicles - this is not a planning consideration, but it is noted that physical works are minimal.
- The proposal ignores historic planning refusals appeals - the application is judged against the current local development plan - it is noted that previous applications were refused due to impact on the conservation area.
- The coach-house to north is now a separate dwelling - this lies outwith the site boundary and is not part of the current assessment.
- Increased traffic will impact upon wildlife - the increase in traffic is not so significant as to have this effect.
- The proposal should require Road Construction Consent (RCC) - this is not a planning consideration.
- Rights of access - this is a legal issue.

g) Equalities and Human Rights

The proposal does not raise any equalities or human rights concerns.

Conclusion

The proposed subdivision is acceptable in principle and has no impact on the character or appearance of the conservation area. The parking level is adequate and the two access routes are considered adequate in terms of road safety. No other considerations 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.
4. The permission relates to planning permission only. Independent issues, such as rights of access from the lanes concerned, must be independently ascertained.

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 13 January 2017.

Forty-one representations were received: 28 in support and 13 in objection. A full assessment of representations can be found in section 3.3 f) of the Assessment.

Background reading/external references

- 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 property lies in the Coltbridge and Wester Coates Conservation Area as shown in the Local Development Plan (LDP).

Date registered

21 December 2016

Drawing numbers/Scheme

1-5,

Scheme 1

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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.

Relevant Non-Statutory Guidelines

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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development) through the subdivision of an existing
detached residential property into 3 apartments.**

Consultations

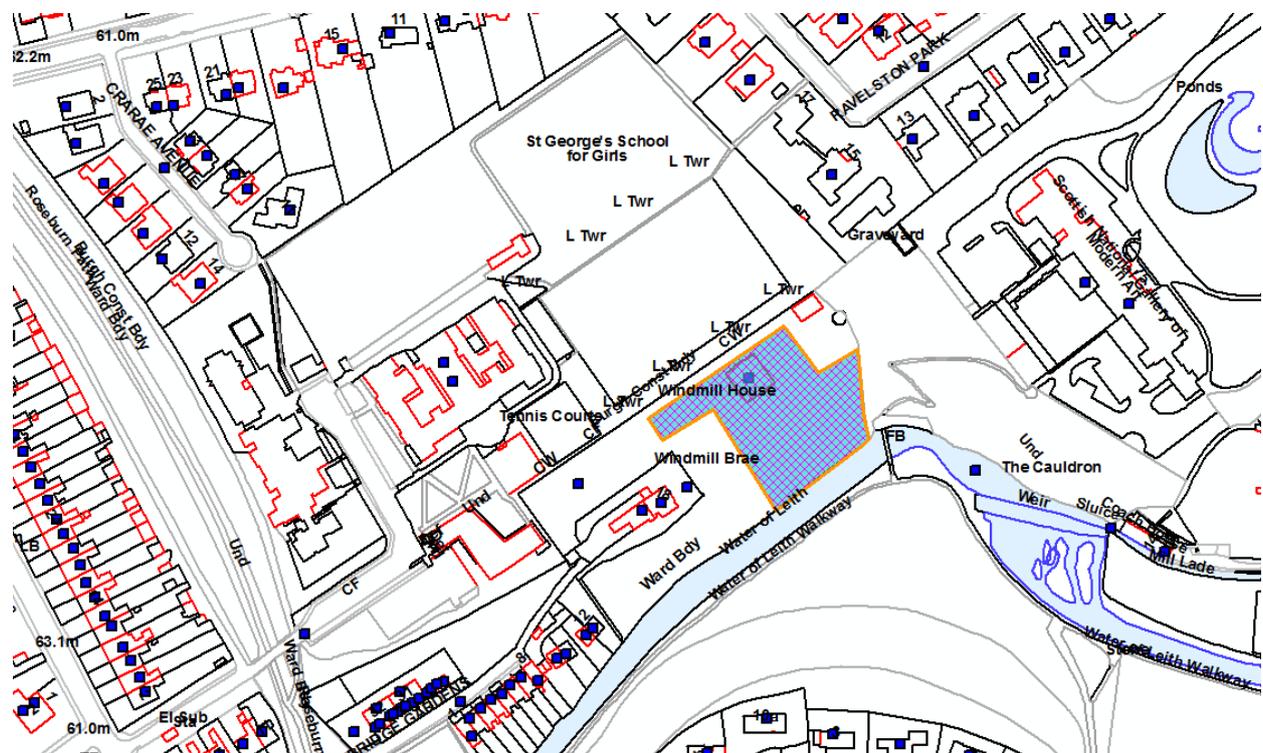
Roads Authority

No objections to the application.

Note:

Further development of the site is likely to require Road Construction Consent.

Location Plan



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