

Development Management Sub Committee

Wednesday 21 June 2017

**Application for Planning Permission 16/04384/FUL
At 1 Grant Avenue, Edinburgh, EH13 0DS
Formation of a plot within the grounds of 1 Grant Avenue
and the erection of a new dwellinghouse (re-submission
following withdrawal of 16/03197/FUL).**

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| Item number | 4.3 |
| Report number | |
| Wards | A08 - Colinton/Fairmilehead (Pre May 2017) |

Summary

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the special character or historic interest of the listed building or its setting. The development has no detrimental impact on residential amenity. There are no equalities or human rights concerns and no material considerations that outweigh this conclusion.

Links

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| <u>Policies and guidance for this application</u> | LDPP, LDES05, LDES04, LEN03, LEN06, LHOU01, NSG, NSLBCA, NSGD02, CRPCOL, |
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Report

Application for Planning Permission 16/04384/FUL At 1 Grant Avenue, Edinburgh, EH13 0DS Formation of a plot within the grounds of 1 Grant Avenue and the erection of a new dwellinghouse (re-submission following withdrawal of 16/03197/FUL).

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 within the north west corner of 1 Grant Avenue.

The application site measures 345m² and forms part of a wider substantial corner plot (3,055m²) at the junction of Grant Avenue and Barnshot Road. The wider site comprises a large late arts and crafts villa of unusual design, designed by Alexander A Foote in 1922-3. The villa is an interesting composition, with low sweeping roofs and a small open porch (loggia) on the south elevation, which has been enclosed by modern glazing. There is an existing modern single storey extension on the west elevation.

The site is set in a mature garden setting with trees. Access is from Grant Avenue.

The property is category B listed and was listed on the 19 December 1979, LB Ref 28928.

This application site is located within the Colinton Conservation Area.

2.2 Site History

February 2016 - Demolish existing single storey store area to west elevation and alterations existing sun room to south elevation. Construct new single storey flat roofed extensions to west and south elevations with metal clad timber windows and doors. Extension to south to incorporate Loggia design (as amended) (Planning permission 15/05090/FUL and listed building consent 15/05097/LBC).

April 2017 - Form new vehicular access, erect new single garage with hard standing. Replace existing with new 1800mm high timber fence, install new timber vehicular gates. (Planning permission 17/00033/FUL).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of a dwellinghouse in the north west corner of the curtilage of 1 Grant Avenue. The proposed dwellinghouse is one and a half storey with accommodation provided within the roof.

The design of the proposed dwellinghouse incorporates a hipped roof form with dormers located on the northern and eastern elevation. The roof is to be finished with a red tile roof and white render walls. Boundary treatments will include beech hedging and timber fence. Access will be provided onto Grant Avenue just to the east of the existing access which will be removed.

Three trees will be removed from the site to allow construction of the dwellinghouse. An area of garden ground will be provided to the east and south of the new dwellinghouse.

A Design and Access Statement and Tree Survey have been submitted in support of the application. These can be viewed on the Planning and Building Online Services.

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 proposal is acceptable in principle;
- b) the scale and design is acceptable and it preserves or enhances the character and appearance of the conservation area and setting of the listed building;
- c) the proposal will have an adverse effect on neighbouring residential amenity;
- d) any impacts on equalities or human rights are acceptable; and

e) comments raised have been addressed.

a) Principle

The site is located within the Urban Area as defined by the Edinburgh Local Development Plan (LDP). The provision of a new house in this location is acceptable in principle and complies with LDP Policy Hou 1 (Housing Development) subject to compliance with other relevant policies in the LDP.

b) Impact on the character and appearance of the conservation area or special interest and historic character of the listed building

Conservation Area

The Colinton Conservation Area Character Appraisal identifies the application site as being within a villa zone where the essential character includes *substantial, detached houses of varied and high quality architectural character, sited individually within large gardens and set behind high stone boundary walls with inserts of fencing and hedging and consistency in the use of materials and form of buildings.*

LDP Policy ENV 6 of the LDP requires development to preserve or enhance the special character or appearance of the conservation area. Development should also demonstrate high standards of design and utilise materials appropriate to the historic environment.

The wider site is a corner plot with the existing house located within the south western corner of the site. The position of the house results in any new construction within the site being very sensitive due to the openness of the garden. The proposed position within the north western corner of the site retains the openness of the garden and does not interrupt the views of the house from the key points from Barnshot Road and Grant Avenue.

There are a number of properties on the southern side of Grant Avenue with a garage facing onto the road in front of the building line of the house. The proposed house within this position is in keeping with the boundary line of these properties and is of an appropriate scale so as not to dominate the building line.

The proposed design of the house reflects the character of the existing house at 1 Grant Avenue and the adjacent property at 3 Grant Avenue. In particular, the materials and roof design pick up a key characteristic of this section of the conservation area.

The trees to be removed have been identified as having a short life span due to infection and cavities within the trunk. The removal of these trees will not impact on the character or appearance of the conservation area. The existing hedge planting will be maintained and a new hedge planted along the southern boundary within the site.

Listed Building

The category B listed building is located on the corner of Barnshot Road and Grant Avenue and is located within a large open plot. The proposed new house is located away from the elevations of the listed building and the size of the new plot allows the key views from Barnshot Road and Grant Avenue to be retained. The listing description details that the key importance of this property relates to its asymmetrical Arts and Crafts style. The proposed new dwellinghouse reflects this character and does not impact on the setting of the listed building. The proposal complies with Policy ENV 3 of the LDP.

The proposed dwellinghouse is of an appropriate scale and design within the conservation area and will retain the setting of the listed building.

c) Impact on Residential Amenity

The proposed dwellinghouse is located within a gable to gable position with the adjacent garage and therefore there are no overshadowing concerns with the adjacent property. The new dwellinghouse is located to the north of the existing house at 1 Grant Avenue and there are no overshadowing issues between these two properties.

Any windows for the new dwellinghouse, with the exception of the stair rooflight will overlook the garden ground for the property. There will be limited overlooking of the front garden ground of 1 Grant Avenue from the upper dormer windows. However, due to the large extensive garden ground this is not considered to impact on privacy. The property to the north of Grant Avenue is located more than nine metres from the new dwellinghouse. There are no privacy issues to this property.

The proposal reuses an existing access albeit in a realigned position. There are no road safety issues from the proposal.

The proposal is acceptable in terms of residential amenity.

d) Impact on Equalities and Human Rights

There are no concerns regarding equalities or human rights.

e) Representations

Fourteen letters of representation have been received. The material comments submitted are:

- impact on amenity of adjacent house - this is addressed in section 3.3c) above;
- impact on openness of Colinton Conservation Area - this is addressed in section 3.3b) above;
- impact on the setting of the listed building - this is addressed in section 3.3c) above;
- Overlooking - this is addressed in section 3.3c) above;
- Description of Development is misleading - this was addressed with the application and the description was updated. Further neighbour notification and advertisement period were carried out; and

- Listed Building Consent required for the formation of the plot - listed building consent deals with the physical alterations to a property. No physical alterations are proposed to the existing house and therefore no listed building consent is required.

Non Material Comments

- No garages provided for the property;
- Work without permission within the grounds;
- Reduce value of existing house; and
- Legal provisions preventing sub-division of the plot.

Conclusion

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the special character or historic interest of the listed building or its setting. The development has no detrimental impact on residential amenity. There are no equalities or human rights concerns 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.

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 23 September 2016 and a further advertisement was run on 17 March 2017 following an update to the description of the development. A total of 14 letters of representation were received.

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](#)

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| Statutory Development Plan Provision | The site is located within the urban area. |
| Date registered | 12 September 2016 |
| Drawing numbers/Scheme | 1 - 3, 4a, 5a, 6 - 9, |

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 Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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.

The Colinton Conservation Area Character Appraisal emphasises the high quality architecture, the predominant use of traditional building materials, the strong sense of place derived from the containment within a rural setting, and the prominent views to the Pentland Hills.

Appendix 1

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Consultations

Archaeology

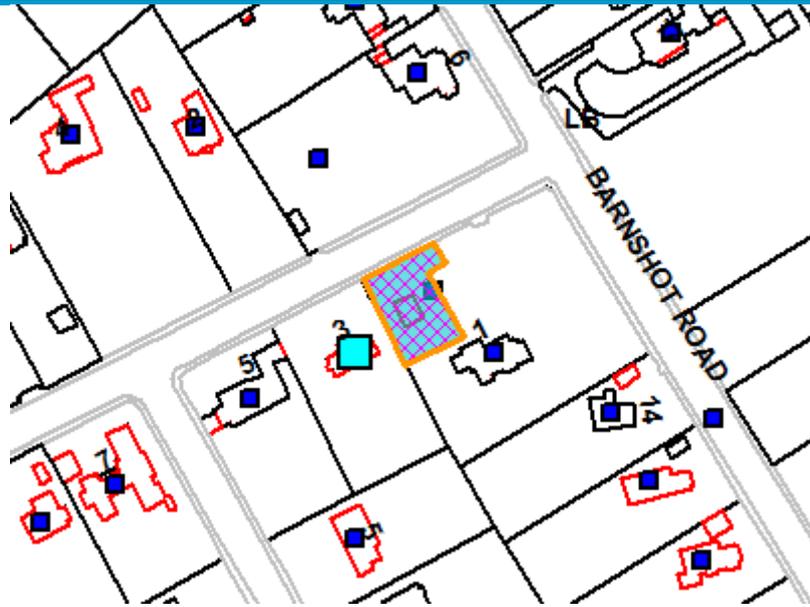
As stated in response to the earlier withdrawn application (16/03197/FUL), both the 1st and 2nd Edition OS maps show the main conduit carry water from Torduff Reservoir in the Pentlands runs across the application site. As the submitted drawings for this revised scheme indicate that it will avoid this historic early/mid 19th century H2O conduit it is considered that there are no further known archaeological implications regarding this application.

Roads Authority

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) including:
 - a. Access to parking should be a maximum of 3m wide;*
 - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
 - c. 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;*
 - d. Any gate or doors must open inwards onto the property;*
 - e. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
 - f. The works to form a 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.**

Location Plan



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