

Development Management Sub Committee

Wednesday 13 December 2017

Application for Planning Permission 17/04296/FUL At Land 28 Metres South Of 28, Dreghorn Link, Edinburgh Erect new dwelling

Item number	4.3
Report number	
Wards	B08 - Colinton/Fairmilehead

Summary

The proposal complies with the development plan. The proposal is acceptable in this location and will not have a detrimental impact on the character and appearance of the special landscape area. There will be no impact on residential amenity, traffic and road safety.

Links

Policies and guidance for this application	LDES01, LDES04, LDES05, LEN11, LHOU01, LTRA02, LTRA04, NSGD02,
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Report

Application for Planning Permission 17/04296/FUL At Land 28 Metres South Of 28, Dreghorn Link, Edinburgh Erect new dwelling

Recommendations

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

Background

2.1 Site description

The application site measures 787 square metres and is located within a small housing development, currently comprising of 9 one and a half storey dwellings. The site is an undeveloped area of grassland located immediately to the right when entering the estate. A service area to the south comprises a petrol station, hotel, restaurant, and parking area. The service area lies immediately to the north of the city by pass, from which it is reached via an interchange and the Dreghorn Link. To the north of the housing estate lies Dreghorn Barracks and to the east, mature vegetation has become established along the road side embankment where the site bounds Dreghorn Link. Beyond the city by-pass to the south there is open countryside rising to the Pentlands.

The site is located within the Pentlands Special Landscape Area.

2.2 Site History

October 2001 - Planning permission granted at committee for: Low density private dwelling houses (application reference 01/01977/FUL).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of a 4 bedroomed, two storey flat roofed dwellinghouse. Although flat roofed, part of the roof rises at a south facing 15 degree pitch to house 14 solar panels and 2 solar thermal panels. The property will have 197 square metres of floorspace and a garden area of around 590 square metres including two x parking spaces. A second floor balcony facing southwards towards the Pentlands is also proposed.

The materials to be used have not been specified. However, the drawings would indicate a mix of brick, render, and cladding.

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 principle of the development is acceptable in this location;
- b) the impact on the Pentlands Special Landscape Area is acceptable;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in a reasonable level of neighbouring residential amenity;
- e) the proposals will result in an adequate level of amenity for the future occupiers of the development;
- f) the proposals will raise any traffic or road safety issues;
- g) any impacts of equalities and human rights have been addressed; and
- h) any comments raised have been addressed.

a) Principle of development

The site is allocated as Urban Area in the Edinburgh Local Development Plan (LDP) where housing development in principle is acceptable. Housing is supported within the urban area by LDP Policy Hou 1 where it is compatible with other policies in the plan.

The development is acceptable in principle in this location subject to the consideration of other matters below.

b) Impact on the Pentlands Special Landscape Area

LDP Policy Env 11 states that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas. The site is within an established residential area and taking account of the siting, height and massing of the development, will not have an adverse impact upon the Pentlands Special Landscape Area.

c) Scale, Form and Design

The proposed dwelling matches the general height and massing of the surrounding area although it is of a contemporary design. The proposed dwelling sits closer than the surrounding properties to the pavement, one metre compared to five metres at the neighbouring property. However, it still respects the general form of the existing housing estate in terms of its setting and large garden ground.

The design of the dwelling introduces a contemporary palette to the existing development and although differing to the houses consented in 2001, it is in keeping with the wider surrounding area that includes a hotel and petrol station. A condition has been attached to ensure that all materials are agreed prior to any work commencing on site.

The scale, form and design of the proposals are acceptable.

d) Neighbouring Amenity

There is a distance of 15.3 metres gable to gable with the neighbouring property, with the neighbouring property not having any gable end windows. The proposed balcony faces south away from any neighbouring properties.

The proposal will not have a detrimental impact on residential amenity.

e) Amenity of Future Occupiers

Size

The Edinburgh Design Guidance requires that a minimum of 91 square metres of floor space should be provided for dwellings with 3 bedrooms or more. The proposal will exceed the minimum floorspace requirements.

Open space

The proposal provides sufficient open space for prospective residents.

Noise

Environmental Protection requested that a Noise Impact Assessment was carried out due to concerns about traffic noise and the proposals proximity to a petrol station. However, given that the site is within an established residential area, it was not deemed necessary.

f) Traffic, Parking and Road Safety

The site is within Zone 3 of the Council's Parking Standards, which specifies a maximum of two parking spaces for four-room dwellings (excluding kitchens and bathrooms). There is adequate off-street parking space for two vehicles in this development.

The street is already used to access nine residential properties and this development will not result in an unacceptable increase in traffic.

The site is well serviced by public footways.

The proposed development will therefore have no detrimental impact on road safety.

g) Equalities and Human Rights

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

h) Public Comments

Material Objections

- Impact on Pentlands Special Landscape Area - this has been addressed in section 3.3(b);
- Design of proposed dwelling - this has been addressed in section 3.3(c);
- Details of proposed materials have not been submitted - this has been in section 3.3(c);
- Parking and traffic - this has been addressed in section 3.3(f); and
- Overlooking/loss of privacy - this has been addressed in section 3.3(d).

Non Material

- Various issues relating to title deeds on site - this is a private legal matter that is not dealt with through the planning process;

Conclusion

In conclusion, the proposal complies with the development plan. The scale and design of the proposal will not detract from the character and appearance of the special landscape area and will have no adverse impact on residential amenity and traffic.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

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. Any off-street parking space should comply with the Council's Guidance for Householders dated 2017 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:
 - a. Off-street parking should be a minimum of 6m deep and 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;
 - 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.

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 meets 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

Following neighbour notification, eleven letters of representation objecting to the proposal were received. The matters raised are addressed in the assessment section of the report.

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 site is within the Urban Area and Pentlands Special Landscape Area as defined by the Edinburgh Local Development Plan.

Date registered

18 September 2017

Drawing numbers/Scheme

01-05,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

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

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

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 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, parking, streets and landscape, in Edinburgh.

Appendix 1

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Consultations

Transportation

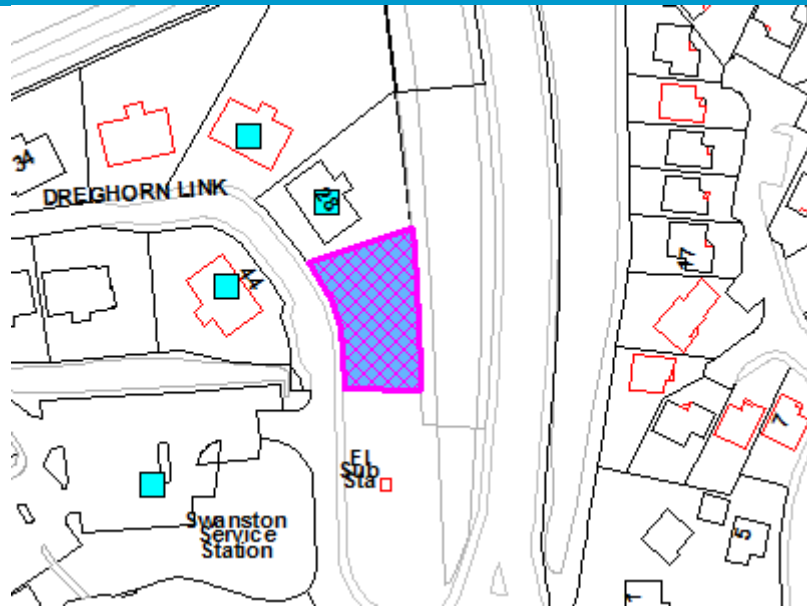
No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2017 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guide_lines including:
 - a. Off-street parking should be a minimum of 6m deep and 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;
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 - e. Any hard standing outside should be porous;
 - 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.

Environmental Assessment

Please request a noise impact assessment from the agent for this application. My main concern is traffic noise but the nearby petrol station (with jet wash) should also be included in the assessment. Predicted internal levels in the proposed dwelling should not exceed the criteria noted for dwellings in BS:8233.

Location Plan



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