

Development Management Sub Committee

Wednesday 5 December 2018

**Application for Planning Permission 18/07513/FUL
At 46 Craigleith Road, Edinburgh, EH4 2DR
Erect a new dwellinghouse within the curtilage of the
existing property.**

Item number	4.5
Report number	
Wards	B05 - Inverleith

Summary

The proposal does not comply with policies Hou 1, Des 1 and Des 4 of the adopted Local Development Plan and the relevant non statutory guidance. The proposed site is not a suitable location for the erection of a dwelling house and would be damaging to the character and appearance of the surrounding area and wider townscape. There are no material considerations upon which to justify granting planning permission.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES04, LDES05, NSG, NSGD02,
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Report

Application for Planning Permission 18/07513/FUL At 46 Craigleith Road, Edinburgh, EH4 2DR Erect a new dwellinghouse within the curtilage of the existing property.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is currently the garden ground of No. 46 Craigleith Road, a semi-detached two storey house on the south side of Craigleith Road. The area is characterised by traditional bungalows, semi-detached and terraced two storey properties which share a horizontal emphasis. Access to the proposed property will be via the existing driveway utilised by No.46.

2.2 Site History

5 October 2016- An application for planning permission to erect a new house within the curtilage of No. 46 Craigleith Road was withdrawn (application reference: 16/03885/FUL).

17 February 2017- An application to erect a new house in the curtilage of an existing house with the curtilage of an existing house. This application was refused under delegated powers (application reference:17/00023/FUL).

28 July 2017- The Local Review Body upheld decision by the chief planning officer to refuse planning permission (review reference:17/00044/REVREF).

Main report

3.1 Description Of The Proposal

The application is for planning permission for the erection of a three bedroom, one and half storey, house with mono pitched roofs, in the garden grounds of No. 46 Craigleith Road. The existing plot would have to be subdivided in order to form two domestic curtilages. The subdivided plot would be 8.1 metres wide and approximately 39 metres deep.

The proposed house would be approximately 15.4 metres deep and approximately 5.8 metres wide.

One parking space would be located within the curtilage of the proposed dwelling.

The dwelling would externally finished in zinc, timber cladding, render and reclaimed brick.

It is proposed that a fence be erected along the new boundary formed between No.46 and the application site, while there is already a solid wall present along the mutual boundary currently shared between No.46 and the neighbouring properties, No. 48 and No. 50 Craigleith Road.

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 development at this location is acceptable;
- (b) The proposal is of an appropriate scale, form and design;
- (c) The proposal will result in a satisfactory residential environment;
- (d) The proposed use would result in any loss of amenity;
- (e) Road safety has been addressed; and
- (f) Public comments have been addressed.

(a) The Principle of Development in this Location

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable as long as the proposals are compatible with other policies in the plan. Compliance with other policies in the plan are addressed in further detail in sections 3.3 b, c, d, e and f below.

Overall the site is not compatible with other policies in the plan and therefore the principle of housing development at the site is not acceptable.

The proposed house will not make a substantial contribution to any shortfall in the housing land supply and little weight can be placed on this consideration.

The proposal does not comply with Policy Hou1.

(b) Scale Form and Design

LDP policy Des1 (Design Quality and Context) states that new development should contribute towards a sense of place and design should draw from positive aspects of the surrounding area.

The proposed design is not appropriate. The dwellings in the surrounding area are largely terraced, semi-detached dwellings and traditional bungalows. The proposal is a one and half storey design which is incompatible with the surrounding context of two storey neighbouring properties.

The proposed house does not respect either the character or appearance of the surrounding area.

LDP Policy Des 4 (Development Design- Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact upon its surroundings.

The proposed one and half storey house will be significantly lower than the two storey properties directly to the east and west of the site. While these properties have dual pitched slate roofs and stone and render wall finishes, the proposal has mono pitched zinc roofs with reclaimed brick and render walls.

The scale, form, materials and detailing are out of character with the surrounding area.

While the subdivided plot will be just over 8 metres wide, nearby, semi-detached, properties on Craigleith Road have plot widths of between approximately 12-17 metres. The nearest detached property to the site on Craigleith Road (No.56) has a plot width of approximately 25 metres.

The proposed house will not have a positive impact on its surroundings in terms of form and positioning of buildings. There is a consistent grain and density to the houses in Craigleith Road which will not be maintained by the proposed addition. The proposed detached property appears to have been squeezed sideways into the plot due to the very limited width of the site.

The proposal does not comply with policies Des1 or Des 4.

(c) Residential Environment

LDP Policy Des 5 (Development Design- Amenity) relates to the impact on amenity of a proposed development.

The Edinburgh Design Guidance also seeks to address the criteria of an acceptable level of amenity for future occupiers of the development.

The proposed dwelling will have large windows to its front and rear elevations at both ground floor and upper level. It would provide adequate levels of sunlight/daylight for any future occupiers. It will also provide adequate internal floorspace and a good amount of external garden ground will also be provided. It would have to comply with the building regulations in terms of adaptability and sustainability and it meets the other criteria of Des 5.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(d) Loss of Amenity to Neighbours

There would be no material loss of amenity to neighbours as a result of the development. Land in a gable to gable situation is not protected for daylight or privacy. The proposed house is not deeper than that of nearby, extended, dwellings and it would not unacceptably overshadow the property either to the east or the west.

There is only one slim window proposed in the side elevation of the property. This would, however, face onto the solid boundary wall. The rear facing windows will overlook the garden of the application property. Windows are assessed for privacy only within the width of the window and spread views are not considered. There are no trees shown for removal.

The proposed property would be detached and set back off mutual boundaries. It is unlikely that normal residential use of the property would generate a significant noise impact upon existing residents. Construction noise is not controlled by the planning authority.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(e) Traffic or Road Safety Issues

The Roads Authority was consulted on the previous application for this site for the erection of a dwelling house within the curtilage of the existing house (application reference 17/00023/FUL). As the proposed house is of a broadly similar size and location they were not re consulted. They offered no objections to the previous proposal subject to the imposition of certain informatives with regards to off street parking provision standards.

Parking standards for new build residential properties have changed since the previous application was assessed. There is one off street parking space proposed at the site which complies with the updated parking standards. There is also secured bike storage proposed to the rear garden of the property. The shared access path and driveway does not raise any road safety concerns.

(f) Representations

Material representations in objection.

- Design and appearance. This is addressed in section 3.3b).
- Parking. This is addressed in section 3.3e).
- Overdevelopment of the site. This is addressed in section 3.3a) & b).
- Overshadowing and loss of sunlight. This is addressed in section 3.3d).
- Overlooking. This is addressed in section 3.3d).
- Setting of a listed building. The proposed erection of a house between existing houses would not harm the setting of the Royal Victoria Hospital.
- Shared access path and driveway. This is addressed in section 3.3e).
- Noise impacts. This is addressed in section 3.3d).
- Loss of landscape, destruction of trees. This is addressed in section 3.3 c) & d).
- Size of property. This is addressed in section 3.3c).
- Impact on skyline. Given the relatively small height of the proposal it is unlikely that it would have a material impact upon important views of the city's skyline.

Non-material representations in objection

- Inaccurate information. The Planning Service can only assess the information provided.
- Structural damage to neighbouring dwellings. This is not a planning matter. The applicant will be required to comply with building regulations.
- Precedent. Every application is determined on its individual merits.
- Preamble for a bigger development. The Planning Service cannot predict future proposals for a site.
- Location of those who made comments - The Planning Service must acknowledge all representations made.

Material representations in support

- Well designed and innovative design. This is addressed in section 3.3b).
- Proportionate in size. This is addressed in section 3.3b).

- Enhances the surrounding area. This is addressed in section 3.3d).
- Gap sites should be used, Edinburgh needs more homes. This is addressed in section 3.3a).
- The site has ample parking provision. This is addressed in section 3.3e).
- The site has ample garden ground. This is addressed in section 3.3c).

Non Material representations in support

Four letters were received that had no reason provided for their support of the proposal.

Conclusion

The proposal does not comply with policy Hou 1, Des 1 and Des 4 of the adopted local development plan and the relevant non statutory guidance. The proposed site is not a suitable location for the erection of a dwelling house and would be damaging to the character and appearance of the surrounding area and wider townscape. There are no material considerations upon which to justify granting planning permission.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as it does not relate to a suitable site in the Urban Area
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would be damaging to the character and appearance of the surrounding area.
3. The proposal is contrary to Local Development Plan Policy Des 4 in respect of Development Design-Impact on setting, as it would not have a positive impact upon the character of the wider townscape.

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

In total, 53 representations have been received. 28 letters were in objection to the proposal while 25 were in support. Four letters of support were deemed non material as they made no comment as to why they were in support of the proposal.

A full assessment of the representations can be found in the main report in the Assessment section.

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 located within the 'urban area' as defined by the Local Development Plan.

Date registered

14 September 2018

Drawing numbers/Scheme

01; 02 ; 03 ; 04 ; 05,

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

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.

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, parking, streets and landscape, in Edinburgh.

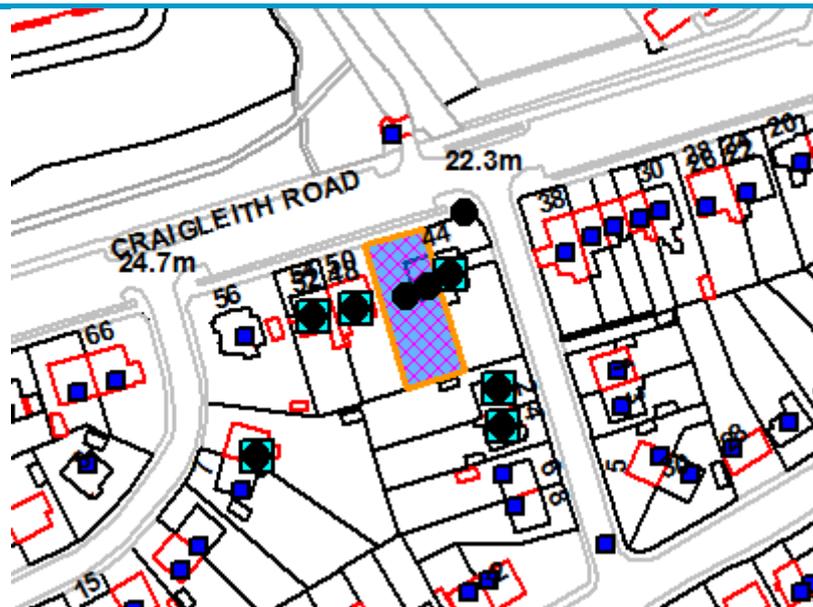
Appendix 1

**Application for Planning Permission 18/07513/FUL
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Consultations

No consultations undertaken.

Location Plan



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