

Development Management Sub Committee

Wednesday 24 April 2019

Application for Planning Permission 18/04346/FUL At 23 Corbiehill Road, Edinburgh, EH4 5EB Erection of dwelling

Item number	4.4
Report number	
Wards	B01 - Almond

Summary

The proposals comply with the development plan policies and non-statutory guidelines. The design and scale of the house are acceptable and would have no adverse impact on the character or appearance of the surrounding area, road safety or on neighbouring residential amenity. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	NSHOU, LDPP, LDES01, LDES04, LDES05, LEN12, LEN21, LHOU01, LHOU04, LTRA02, LTRA03, NSGD02, NSG,
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Report

Application for Planning Permission 18/04346/FUL At 23 Corbiehill Road, Edinburgh, EH4 5EB Erection of dwelling

Recommendations

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

Background

2.1 Site description

The site forms part of the rear garden of an existing dwelling on the south side of Corbiehill Road.

Corbiehill Park runs along the western boundary of the site. The area is residential in nature, with properties in the immediate vicinity being similar in scale and form to the dwelling at 23 Corbiehill Road.

The site is not within a conservation area or within the grounds of a listed building.

Marchfield House Road is a B listed building and is located to the south west of the site at the end of Corbiehill Park (ref: 28088, date: 14/07/1966).

2.2 Site History

5 April 2016 - Planning permission in principle granted for the construction of a 1.5 storey dwellinghouse (planning application reference 16/00515/PPP).

17 May 2018 - Application withdrawn for approval of matters subject to condition relative to permission 16/00515/PPP (planning application reference 18/02222/AMC).

Main report

3.1 Description Of The Proposal

The proposal is for a one and a half storey, pitched roof house with three bedrooms. The new dwellinghouse would be seven metres from the eastern boundary fence and six metres from the southern boundary fence. Access to the site would be via Corbiehill Park with a parking space available for one car.

The proposed dwelling will have an internal floor area of approximately 83 square metres.

The materials would be a render finish and a slate effect tile for the roof.

The existing boundary fences and trees will remain.

Previous Scheme

The original scheme has been amended by the re-positioning of the building and the removal of a gable end window to address concerns in relation to neighbouring residential amenity and parking.

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 in keeping with the character of the surrounding area and is of an appropriate design;
- c) The proposal has an adverse impact on amenity;
- d) The proposal has an adverse impact on flooding;
- e) The proposal has an adverse impact on protected trees;
- f) The proposal has an adverse impact on road safety/waste management; and
- g) Any public comments have been addressed.

a) The Principle of the Development

The site is allocated as an urban area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 supports housing on suitable sites in the urban area, provided it is compatible with other policies of the LDP. The site has planning permission in principle for a single residential unit (16/00515/PPP). The proposal complies with policy Hou 1 subject to consideration of other matters below.

In terms of policy Hou 4 on housing density, the surrounding area has a series of houses with large gardens and quite a low density. The addition of a single dwellinghouse is compatible with the density of the surrounding area and will not compromise the spatial pattern associated with the area. The proposal complies with LDP policy Hou 4.

b) Character and Design

Edinburgh Local Development Plan policy Des 1 states planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area. Policy Des 4 states development should have a positive impact on its surroundings, having regard to height and form; scale and proportions, including the spaces between buildings; position of buildings and other features on the site; and materials and detailing.

Although there is a degree of rhythm in terms of house type and plot size on Corbiehill Road, the character of Corbiehill Park is less defined and consistent, with a variety of building types within the immediate vicinity of the application site. The relationship between the private road and the development plot prevents the proposal from constituting back-land development and once built, it would read as a separate dwelling house, unconnected to the dwelling at 23 Corbiehill Road.

The building height, massing and footprint will sit comfortably within the context. The design is simple and modest and would form an understated addition to the location. The materials proposed are conventional and the colours are muted.

The proposal is acceptable and is in keeping with the surrounding character of the area and complies with policies Des1 and Des 4.

c) Amenity

Neighbouring Residential Amenity

Policy Des 5 states that development will be permitted where the amenity of neighbouring development is not adversely affected.

The proposal has been amended to ensure neighbouring residential amenity is satisfactorily protected. The floor of the building has been repositioned further from the site's eastern boundary to reduce the level of overshadowing of the rear garden to the east. A sun path analysis has confirmed that overshadowing of that land would essentially be restricted to the evening and within the context of a garden of very considerable scale. The impact of the development on neighbouring sunlight is acceptable.

In terms of privacy, the scheme has been amended to protect the garden to the east from overlooking; a window present in the original scheme has been deleted and a condition attached, removing the permitted development rights so that the formation of a window in the future would require the benefit of planning permission from the planning authority.

The proposal would have no adverse impact on daylight of any nearby property.

The garden at 23 Corbiehill Road is of very considerable size and the creation of a separate planning unit from part of the rear garden would leave adequate amenity space that wraps around the proposed dwelling.

Neighbouring amenity will be unaffected and the proposal is in compliance with policy Des 5.

Future Occupiers

Policy Des 5 states that future occupiers should have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook and Policy Hou 3 states that adequate provision for green space meets the needs of future residents.

The site would provide amenity space on all sides of the proposed dwelling, in a form that is useable and proportionate with the scale of the building and the plot. The subdivision of the existing garden ground of 23 Corbiehill Road would receive ample sunlight and daylight and retain sufficient amenity space for the occupiers of that dwelling and meets the space standards set out in the Edinburgh Design Guidance. The proposal has adequate private open space provision and complies with policy Hou 3.

In summary, the proposal would provide an adequate level on amenity for its occupiers in compliance with policy Des 5.

d) Flooding

Policy Env 21 advises that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

The site has been identified as being at a medium risk to pluvial flooding. However, the drainage statement includes a cellular attenuation tank that will be put in place to treat surface water. This is accepted as sufficient amelioration of any surface water issues. The proposal complies with policy Env 21.

e) Protected Trees

Policy Env 12 permits development if it is likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons.

The proposal does not have any protected trees within the application boundary, but there is a protected tree on the west side of Corbiehill Park adjacent to the proposal site. The canopy of the tree does not overhang into the application site and the development is unlikely to adversely impact the tree or tree roots due to the distance from the development and the existing hard surfaced road. The proposal complies with policy Env 12.

f) Road Safety/Waste Management

Policy Tra 2 and Tra 3 states permission will be granted for development where proposed car parking and cycle parking and storage provision complies with and does not exceed the standards set out in planning authority guidance.

The revised proposal provides one parking space which is acceptable and in compliance with the parking standards. There is a covered area on the western gable end of the dwelling which can be used to store bicycles.

There are four existing properties that utilise the lane for access purposes; the formation of an additional dwelling will not have any significant impact on vehicles using the lane, nor will it cause issues with road safety for the nearby school. The erection of the dwelling will not require a new waste management plan for Corbiehill Park and the existing properties have kerbside waste collection which will apply to the new dwelling.

The use of Corbiehill Park, which is a private road, cannot be controlled through planning legislation and any restriction on access to the road would be a civil matter.

The proposal complies with policies Tra 2 and Tra 3.

g) Public Comments

Material Considerations

- Acceptability of the development - addressed in section 3.3a);
- Scale, form and design - addressed in section 3.3b);
- Not in keeping with the character of the surrounding area: addressed in section 3.3b);
- Traffic and parking: addressed in section 3.3d); and
- Loss of privacy, sunlight and overshadowing: addressed in section 3.3c).

Non-material Considerations

- Refusal of a neighbouring application (12/02897/FUL). It is not linked to this application; and
- Impact during construction: this is not a matter controlled through the planning system.

Conclusion

The proposals comply with the development plan policies and non-statutory guidelines. The design and scale of the house are acceptable and would have no adverse impact on the character or appearance of the surrounding area, road safety or on neighbouring residential amenity. There are 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

Conditions:-

1. The Permitted Development rights in respect of Class 2B (1) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) are removed from the building hereby approved.

Reasons:-

1. In order to protect the surrounding residential amenity.

Informatives

It should be noted that:

1. The works 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.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

This application received 24 objections.

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	Local Development Plan.
Date registered	20 August 2018
Drawing numbers/Scheme	01A, 02, 03A, 04, 05A-06A, 07, Scheme 2

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Links - Policies

Relevant Policies:

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Relevant policies of the Local Development Plan.

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 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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

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.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

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.

Relevant Non-Statutory Guidelines

Appendix 1

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Consultations

Children and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Using the pupil generation rates set out in the Supplementary Guidance, the development of one house is not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Roads Authority - SCHEME ONE

*The application should be refused.
Reasons:*

- 1. The development proposals do not comply with the requirements of the, "Edinburgh Design Guidance, October 2017," in terms of car parking provision.*
- 2. No provision for cycle parking is proposed by the applicant.*

Note:

- 1. The site has an extant planning consent for a 1 ½ storey dwelling (16/00515/PPP).*
- 2. This current application has been assessed under the 2017 parking standards for Zone 2. These permit 1 parking space for the scale of development proposed. The application drawings show parking space for 2 cars. This is not acceptable.*
- 3. The same standards require secure and covered storage for a minimum of 3 bicycles. No such provision is made by the applicant.*
- 4. Access to the proposed development site is off Corbiehill Park, which appears to be a private road, and as such would be classified as a road in terms of the Roads (Scotland) Act 1984. The applicant therefore, would need to be satisfied that they have the necessary permissions and authority to use the access.*
- 5. It should be noted that the proposed off-street parking space does not comply with the Council's Guidance, in that:*
 - a. Access to any car parking area should be by dropped kerb with a maximum width of 3m (not including transition kerbs), and not a bell mouth as shown on the architect's plan;*
 - b. No details are shown to demonstrate that a length of 2 metres nearest the road is paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road; and*

c. *If any gates or doors are proposed to control access to the property these are not shown on the architect's plans, and that they will open inwards onto the property.*

Roads Authority - SCHEME TWO

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

1. *The proposed access should be by dropped kerb with a maximum width of 3m (not including transition kerbs), and not a bell mouth.*

Note:

1. *The site has an extant planning consent for a 1 ½ storey dwelling (16/00515/PPP).*
2. *The applicant proposes 1 parking provision and complies with the Council's 2017 parking standards which allow a maximum of 1 parking space in Zone 2.*
3. *A minimum of 3 cycle spaces will be provided for the proposed development.*
4. *Access to the proposed development site is off Corbiehill Park, which appears to be a private road, and as such would be classified as a road in terms of the Roads (Scotland) Act 1984. The applicant therefore, would need to be satisfied that they have the necessary permissions and authority to use the access.*
5. *Existing refuse collection arrangement for residential units on Corbiehill Park will be utilised by the proposed development.*
6. *The proposed development is likely to generate 1 vehicle trip per peak hour and is considered acceptable for the existing Corbiehill Park Road.*

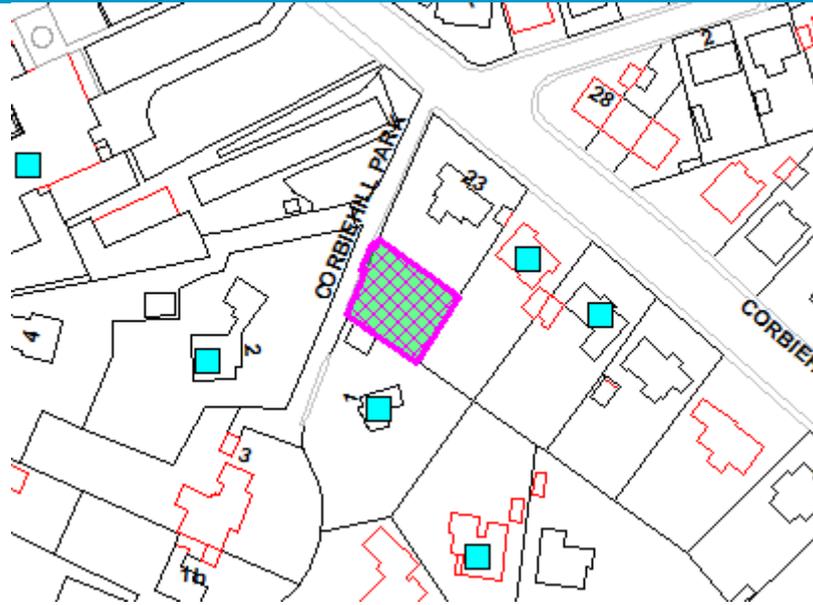
Flood Prevention

The higher resolution flood maps available to CEC show localised surface water flooding in the area proposed for development. Whilst the applicant has made some allowance for attenuation storage on the site for roof/driveway runoff there is a risk that this will fill up with overland flow from surface water outwith the site. Submitted plans show that the proposed development is to have an accessible entrance. The applicant should confirm how flood waters will be prevented from entering the property should surface ponding adjacent to the property occur.

In determining the hydraulic calculations the applicant has applied 20% climate change whereas CEC requires 30% allowance in line with Sewers for Scotland. CEC also request a minimum 75mm aperture size (as opposed to 43mmØ) for flow control devices to minimise the risk of blockage.

The applicant should confirm what measures are to be taken to protect the proposed property from pluvial flood risk, and what impact the revised climate change and aperture dimension will have on the required storage.

Location Plan



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