

Full Planning Application 05/03983/FUL

at

145 Lochend Road

Edinburgh

EH7 6ET

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/03983/FUL, submitted by Barrats East Scotland. The application is for: **Extension of existing bin-store, (sub-station ancillary) in retrospect**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The proposal occupies a corner of a large flatted development currently under phased construction. The block closest is both complete and occupied.

The area of the current application was to be a landscaped area serving this block, containing a much smaller structure holding substation and bin stores.

The area to the south is a disused road, now serving as a wide pedestrian route into the modern housing estate to the east.

The site sits directly on Lochend Road, and the structure is highly visible to the public from there. It faces over the road to the entrance of Lochend Park.

It is also on the visual focus point at the end of Hawkhill Avenue to the NW, a major local distributor road.

Site history

1.8.2003 - consent granted to flatted scheme of 151 units (02/03988/FUL)

13.2.2004 - consent granted for an additional 4 units within approved volume. (02/03988/VARY)

Description of the Proposal

The application seeks retrospective consent for a large structure within the landscaped SW corner of a flatted development still under construction.

The structure is 7m x 14m in plan and rises to just under 4m high at eaves. It contains bin stores, substation and water storage tanks.

It is finished in white render and has a hipped concrete tile roof.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are

- 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?

ASSESSMENT

In order to determine this application the Committee should consider the following

- a) The principle of the use
- b) The effect of the scale, form and design on the character of the area
- c) Any effect on residential amenity
- d) Any effect on open space

a) The use is acceptable in its capacity as ancillary functions to the surrounding residential development, on condition that other policy requirements are met.

b) The structure is already complete and operational in its servicing of the development. However, the form as built is not approved and greatly exceeds the volume of the structure originally approved.

Its footprint rises from 60sqm to 98sm, and due to a now proposed pitched roof, volume doubles. Most critically it lies only 4m from ground floor windows to the east and only 3.4m from windows to the east, rather than the approved 10.5m. To the north the distance is from 3.4m to 4.2m over the whole depth of 14m. This compares to 3.5m over a distance of only 5m plus 7.6m setback over a distance of a further 5m. The original form approved had a flat roof.

In visual terms the structure appears both over-bulky and uncomfortable close to the main flatted block adjacent.

c) This proximity and altered height has a dual effect, both aspects being detrimental to residential amenity. Firstly, open space in front of apartment windows is only one third of its approved area. Secondly, due to the far greater proximity, daylight is greatly reduced. Although daylight levels still comply with guidelines, the net effect is oppressive, and several rooms now face into a blank wall only a few metres away. This is considered unacceptable in terms of the amenity of these units.

d) The net open space on the site as a whole remains acceptable. However its distribution in relation to the flats is imbalanced by a failure to give adequate open space in this corner.

The Department seeks to restore the open space as previously agreed, and relocate the bulk of the additional facilities elsewhere on site.

It is recommended that the application is refused by Committee, for reason of the effect on residential amenity and the loss of open landscape, and that Enforcement Action be authorised to relocate the facilities in a manner which will comply with approved policies.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Stephen Dickson on 0131 529 3901
Ward affected	38 - Restalrig
Local Plan	North East Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	5 January 2006
Drawing numbers/ Scheme	1-5 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Graham Dixon on 0131 529 3519. Email: graham.dixon@edinburgh.gov.uk

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail gavin.king@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

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Application Address: 145 Lochend Road
Edinburgh
EH7 6ET

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Consultations, Representations and Planning Policy

Consultations

Environmental Health

No objections to this proposed development subject to the following condition:

Substation

1. The design, installation and operation of the substation shall be such that any associated noise complies with NR20 when measured within any nearby living apartment with the windows open.

Representations

No representations have been received.

Planning Policy

The site lies in an area of Housing and Compatible Uses as shown in the North East Edinburgh Local Plan.

Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy E26 (QUALITY OF NEW DEVELOPMENT): sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre and seafront and waterfront locations.

Policy E7 (OPEN SPACE PROVISION): specifies minimum standards of open space provision in new housing developments to meet both recreational and amenity needs.

Policy H7 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or the reasonable prospects of further residential development where this is an objective of the Local Plan.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

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Conditions/Reasons associated with the Recommendation

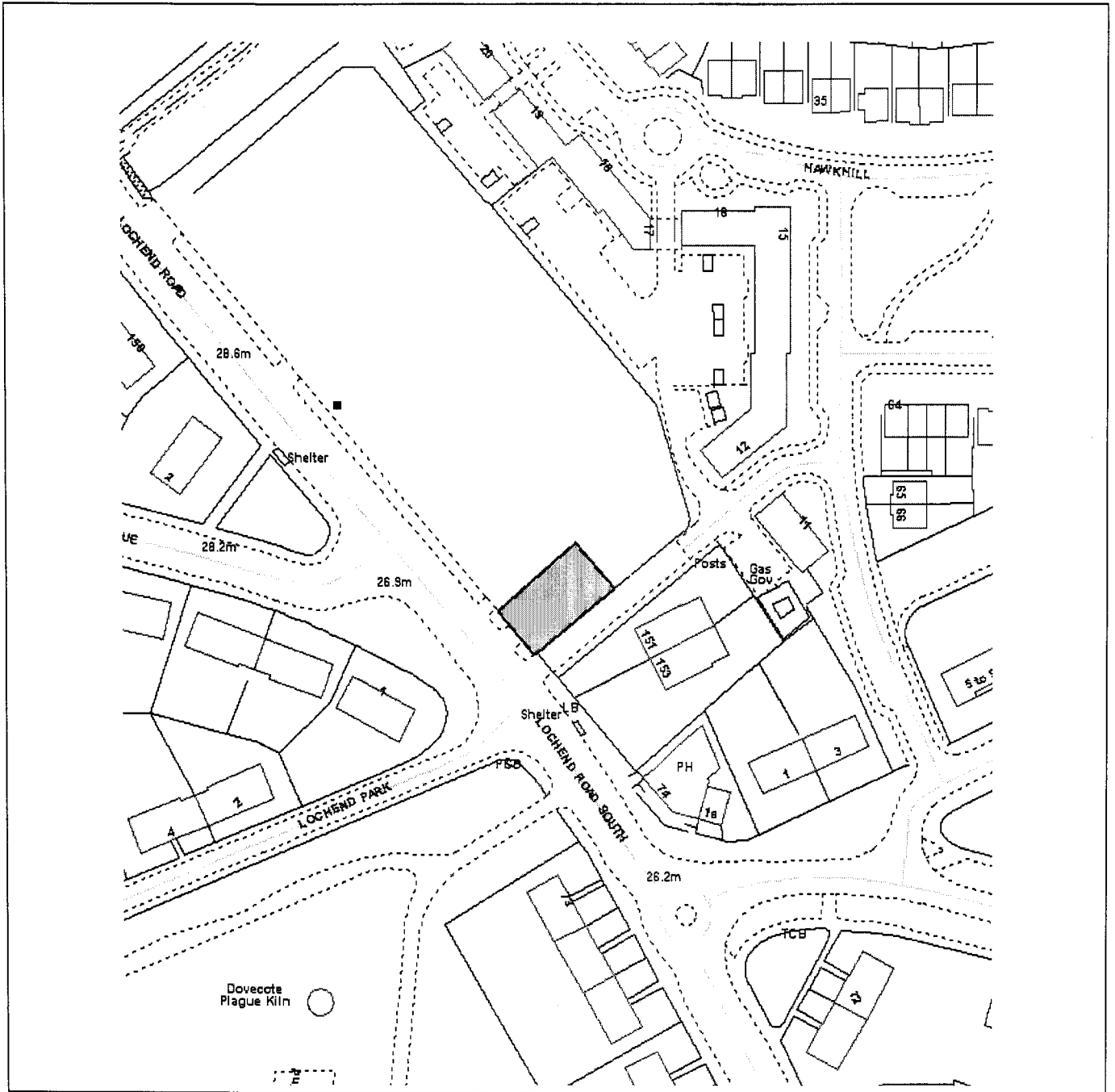
Recommendation

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons below.

Reasons

1. The proposal causes considerable loss of amenity to adjacent ground floor flats, both in terms of loss of landscaped area, and in terms of visual outlook from those properties contrary to the principles of policies H4 and E26 of the local plan.
2. The proposal causes loss of open space within an area of intended landscape, contrary to the principles of policy E7 in the North East Edinburgh Local Plan and contrary to Non Statutory Guidelines on Open Space.

End



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PLANNING APPLICATION

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THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			