

**Approval of Reserved Matters 05/03471/REM
at
Whinrig
200 Mansfield Road
Balerno
Edinburgh
EH14 7LF**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/03471/REM, submitted by Mr + Mrs Davies. The application is for: **Demolish restaurant and erect dwelling house**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The application site is 0.125 hectares in area and is the former Whinrig Restaurant and associated car park on the west side of Mansfield Road, 0.25 km to the south of Balerno in a countryside setting. The site is flat and is screened to Mansfield Road by high conifer hedging and partially screened to the north, south and south west by trees. The site is bounded to the north-west (Bella Vista) and south (Broomfield) by detached residential properties. There are two existing vehicular accesses to the north and south of the site onto Mansfield Road. The buildings on the site are in poor condition.

Site history

30 January 2002 Outline planning permission was granted for the demolition of "Whinrig" and use of the site for residential purposes. The consent was subject to conditions reserving matters of siting, design, external appearance, parking and access, landscaping, methods of construction details and external finishes. A further condition sets out that the number of houses to be erected on the site is to be restricted to one dwelling. (01/03628/OUT)

November 2004 A Tree preservation Order. No2. 2004, was served on the site of the current application plus the adjacent premises to the west, 'Bella Vista'.

2 March 2005 An application for the approval of the reserved matters for a five bedroom dwelling was refused. (04/01481/REM) The reasons for refusal were:-

1. The proposal would result in the reduction in an area of woodland which contributes to the landscape quality and biodiversity of the area contrary to policy 2.16 of the Currie Balerno Local Plan and policies E6 and E20 of the Finalised Rural West Edinburgh Local Plan.
2. The proposed design and siting of the house would have an adverse effect on the visual amenity and rural character of the area contrary to policy 2.67 of the Currie Balerno Local Plan and policy E6 of the Finalise Rural West Edinburgh Local Plan.

4 July 2005 An appeal against the refusal to the reserved matters application was dismissed.

Description of the Proposal

Scheme 2

The proposal is to demolish the existing building on the site and construct a detached house and garage. The house would be located between Bella Vista (west) and Mansefield Road (east). The house is one and one half storeys in height. The living accommodation in the roof space is created with the use of wall head dormers and roof dormers. The design features hipped gables and a strongly designed chimney on the eastern elevation. Windows face north, south and east, with one bathroom window on the ground floor facing west.

The materials would be slate for the roof, wet dash roughcast for the walls with cast stone cills for the windows. Windows and doors are to be white painted timber. The double garage has been designed to match the house. To the north, there would be garden space roughly corresponding to the footprint of the existing building on the site.

Beyond that garden area to the north is the driveway into Bella Vista. A 1.8 metre high close boarded timber fence is proposed along this boundary. The house would be orientated in line with Bella Vista as it relates to Mansfield Road.

The existing access point onto Mansfield Road is to be retained but widened with improved geometry to accommodate two vehicles passing each other off the highway. The access leads to the front of the house and a detached double garage to the south.

Trees within the site are shown for retention and protection via temporary fencing. A temporary access, located north of the existing access is proposed to reduce the impact of construction traffic on the roots of the tree belt to the south. The verge at this point would be reinstated following the construction of the improved access. To the east of the site where it abuts Mansfield Road, the boundary is at present a tall conifer hedge, this is proposed for removal and replacement with a new beech hedge. New standard trees are to be planted as part of the landscaping for the site.

Scheme 1

The proposed access was wider.

No details were submitted with regard to tree root protection at the access.

The temporary tree protection proposed was not comprehensive.

The house was located one metre further south.

There were fewer new trees proposed and no specification for the new hedge.

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 reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to consider whether:

- a) The siting, design and external appearance of the building are satisfactory
- b) There is any impact on the neighbouring amenity
- c) The effect on the trees within the site and the proposed landscaping is acceptable
- d) The parking and access arrangements are satisfactory.

a) The building has been positioned roughly in the middle of the site and is positioned in a gable to gable relationship with Bella Vista. By locating the house in this position, garden space is located to the front and rear of the house in a layout similar to Broomfield to the south. Following on from the Reporters decision, the proposed house is reduced in size and the protected trees to the south of the site are to be retained. The retention of the trees to the south is seen as being an important part of the development in that they contribute greatly to the character of the area.

The existing buildings are low and well hidden behind the Lawson cypress hedge which adjoins Mansfield Road. The removal of the hedge will leave the site more exposed, but this hedge is not considered an appropriate species for the area. Its replacement with a more appropriate species more suited to the rural character of the area is welcomed. The proposed house is closer to the road than the existing building, but the new hedge will soften that boundary in time.

There is not a strong architectural theme in the immediate area which would benefit from repetition. The design of the house requires to be considered on its own merits to assess its wider impact. In terms of plot coverage the proposal has a footprint of one hundred and sixty-one square metres, including the garage. The existing buildings are linked to Bella Vista and have a footprint of one hundred and ninety-eight square metres. The extent of development in relation to the site area is acceptable. The size of the house is in line with the Reporters decision.

The house will be gable on to Mansfield road on a slight angle. Broomfield to the south is similarly oriented, gable on to Mansfield Road. The principle of allowing a development on this site has already been accepted and whilst the new house will be more prominent than the existing buildings, especially since the screening hedge will be removed, the building will ultimately improve the appearance of this site. The new hedge will also be more appropriate to the rural character of the area.

b) Neither the house nor the garage will create unacceptable overshadowing beyond the boundaries of the site. The proposed window locations comply with the Council's Non Statutory Guidelines on Daylighting, Sunlight and Privacy.

c) The proposal will not have an unacceptable impact on trees covered by a Tree Preservation Order as result of the siting of the building. Additional tree planting is included and the existing woodland can be required to be managed via the imposition of a woodland management plan. Temporary fencing is proposed during construction and this will protect the existing trees from damage.

d) Parking and access are acceptable and there is no objection to the proposal on road safety grounds.

In conclusion, the proposals preserve the character and appearance of the green belt. The amenity of neighbours is not adversely affected. The proposal does not adversely affect road safety. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application subject to conditions relating to materials, tree protection, tree planting and woodland management.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David McFarlane on 0131 529 3512 (FAX 529 3716)
Ward affected	01 - Balerno
Local Plan	Currie Balerno Local Plan
Statutory Development Plan Provision	Green Belt
Date registered	28 October 2005
Drawing numbers/ Scheme	1,2a,3,4,5 Scheme 2

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, Helen Martin on (0131) 529 3517. Email: helen.martin@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

Application Type Approval of Reserved Matters
Application Address: Whinrig
200 Mansfield Road
Balerno
Edinburgh
EH14 7LF

Proposal: Demolish restaurant and erect dwelling house

Reference No: 05/03471/REM

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

With reference to the above, this Department offers no objections.

Scottish Water

No objections subject to compliance with the conditions noted below

If the connection to the public sewer and/or water main requires to be laid through land outwith the applicant's ownership, then applicant must provide evidence of formal approval from the affected landowner(s) through whose ground the connection to the public wastewater system/water main must pass. This shall be done at the time of application.

The application must make a separate application to Scottish Water Planning and Development Services team for permission to connect to the public wastewater system and/or water network at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water's assets.

This development may involve building over, or in such a way as to obstruct access to an existing public water main. The applicant must contact Scottish Water Operations, Technical Support Team to ascertain what measures are to be taken to protect this apparatus.

Planning & Development Services no longer deal with requests for location of services. Should the developer require this information, they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB.

Scottish Water's water network infrastructure is not affected by this proposal at this time, however, I do advise that connection to the public water network is dependant on the spare capacity at the time of application for a sewer connection.

There are no known public sewers in the vicinity of the proposed development. It is advisable that any septic tank should be sited in such a manner as to allow easy access for emptying tanker.

If the applicant requires any further information regarding the above , he/she must not hesitate to contact Scottish Water.

Transport Planning (Development Control)

No objections to the application subject to the following condition being applied. The first 6 metres of the access from Mansfield Road be increased in width to 4.8 metres to accommodate 2 way movement.

SEPA

It is anticipated that sewage associated with the proposed development will be connected to public sewer. Connection to the sewer is subject to the approval of the Scottish Water (SW). Your attention is drawn to SW's response for clarification of the position.

SEPA's preferred method of disposing of surface water is through the use of Sustainable Urban Drainage System (SUDS). These measures could be incorporated in this development through the use of surface water soakways. All drainage arrangements must be approved by your authority's Building Control Department.

The development of the site may involve the importation or removal of waste materials and therefore may require a waste management license or confirmation of exemption. These aspects will have to be referred to SEPA's area staff to ascertain the position. When waste is either imported or exported from the site, the applicant and their contractors should be aware of the relevant requirements relating to the transport of controlled wastes by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

On the basis of the details forwarded with the consultation, SEPA holds no information that would facilitate comment on nay other issue relevant to the proposals.

Representations

The proposal was advertised on 11 November 2005 and twelve letters of objection has been received. The points raised are as follows:-

- Loss of trees
- Impact on the trees protected by a TPO
- Access safety concerns
- Out of character with the area
- Contrary to Green Belt policy
- Adverse impact on the environment
- Loss of visual amenity
- Adverse impact upon landscape quality
- The house is too large for the site
- The proposal is considered to be contrary to Council Guidelines
- The existing trees should be protected and previously lost trees replaced
- Overshadowing
- Loss of privacy
- Increase in flooding
- Potential contamination from sewage
- Strain placed on services in the area

The Rt Hon Alistair Darling MP and David McLetchie MSP have both written letters of enquiry relating to the proposal.

The Balerno Community Council has not objected to the application but have made comments on detailed aspects of the proposal.

A letter from the Royal Commission on the Ancient and Historical Monuments of Scotland has also been received. They commented that they wished to be notified of the demolition of a listed building. The building is not listed and the RCAHMS have been notified in writing.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

In the Currie Balerno Local Plan the site is in the Green Belt and a Countryside Policy Area. In the Finalised Rural West Edinburgh Local Plan it is in the Green Belt.

Relevant Policies:

Currie Balerno Local Plan

Policy 2.16 states that within the Area of Great Landscape Value, the retention of landscape quality will be the overriding factor in considering proposals for development which may be acceptable under other policies.

Policy 2.67 states that throughout the local plan area, the Council will seek to control and influence the design of the development, including alterations/additions and extensions to existing buildings to ensure that the appearance of existing buildings is not impaired or the amenity of their surroundings is not adversely affected.

Finalised Rural West Edinburgh Local Plan

Policy E6 states that where acceptable in principle, development proposals in the Green Belt or Countryside must meet high standards of design and landscaping and meet criteria to safeguard local amenity.

Policy E15 seeks to ensure the survival and retention of healthy mature trees. Where the loss of woodland, trees or hedgerows is unavoidable, the developer will be required to undertake equivalent replacement planting.

Policy E16 promotes the protection of significant individual trees, tree groups and shelter belts through Tree Preservation Orders. No new development shall be sited within 20 metres of the trunk of a protected tree or within 10 metres of its canopy, whichever is the greater. Through its Urban Forestry

Strategy, the Council will promote and support additional woodland planting, promote the enhancement of existing woodland and to ensure the sympathetic integration of new trees in woodlands, particularly in Areas of Great Landscape Value where there will be a presumption against large scale coniferous afforestation.

Policy E20 seeks to maintain and improve the nature conservation and biodiversity value of the countryside outwith the areas identified in policies E17 and E18. The impact of proposed development on wildlife, habitat, geological/geomorphologic features and the overall landscape will be an important consideration for applications.

Policy E41 encourages high standards of design for all development and its careful integration with its surroundings in terms of scale, form, siting, alignment and materials. New development should improve energy efficiency and reduce noise pollution.

Policy E42 requires new buildings to make a positive contribution to the overall quality of the environment and the street scene, making provision for high quality landscaping and, where appropriate, new open spaces.

Policy H1 supports housing development on sites with planning consent, previously identified housing sites and sites identified as new proposals in the 1999 finalised local plan.

Policy H5 states that housing development should harmonise with and reflect the character of the surrounding area. Developments should maximise opportunities to achieve public transport links and access and provide a high quality residential environment with appropriate amounts of car parking and open space and incorporate high levels of energy efficiency.

Non-statutory Guidelines

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

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Application Address: Whinrig
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Edinburgh
EH14 7LF

Proposal: Demolish restaurant and erect dwelling house

Reference No: 05/03471/REM

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

Conditions

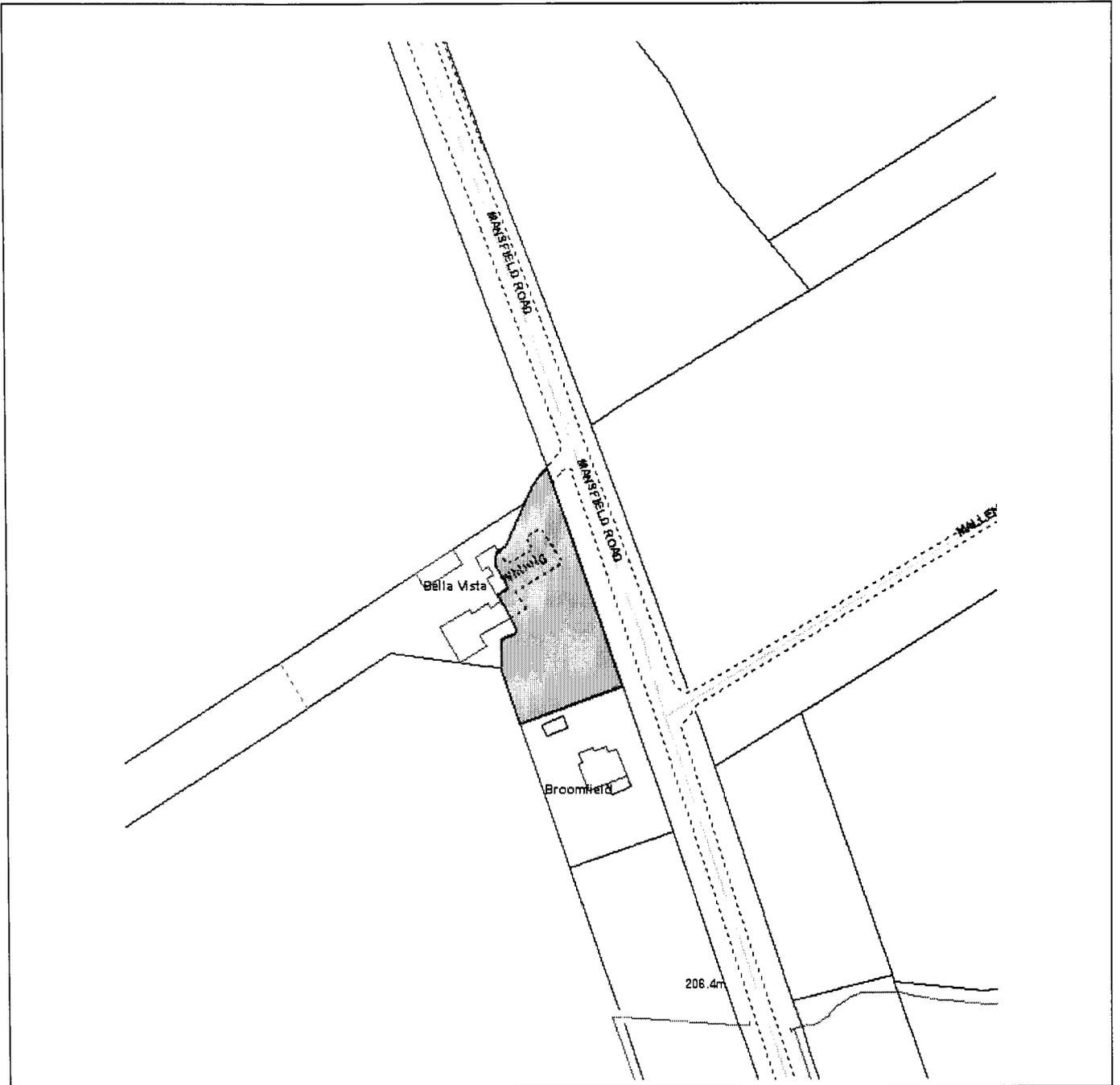
1. The development hereby permitted shall be commenced no later than two years from the date of this consent or from the date of subsequent approval of other reserved matter/s, or five years from the date of outline consent, whichever is the later.
2. The approved 1.8 metre high screen fence shall be erected on the boundary before occupation of the extension.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
4. A landscape management plan, including tree replanting, shall be submitted to and approved in writing by the Head of Planning before work is commenced on site; the approved plan shall be implemented to the Head of Planning & Strategy's satisfaction.

5. That prior to the commencement of the development hereby permitted, details of the location of any new septic tank together with service runs shall be submitted to and approved by the Head of Planning and Strategy.
6. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to safeguard protected trees.
5. In order to safeguard protected trees.
6. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.

End



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PLANNING APPLICATION

Address	Whinrig, 200 Mansfield Road, Balerno, Edinburgh, EH14 7LF,		
Proposal	Demolish restaurant and erect dwelling house		
Application number:	05/03471/REM	WARD	01- Balerno
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			