

**Full Planning Application  
at  
Glendevon Avenue  
Edinburgh  
EH12 5UN**

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

**Proposal:**            **Erection of Two Dwellings**  
**Applicant:**         Mr Johnstone.  
**Reference No:**     04/01471/FUL

**1        Purpose of report**

To recommend that the application be **GRANTED** subject to;

**Conditions**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Notwithstanding the provisions of the General Development Order the dwellings shall not be altered externally or extended in any way without the prior written approval of the planning authority.

**Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to protect/retain importance elements of the existing character and amenity of the site.

## **2 Main report**

### **Site description**

The site lies at the south west end of Glendevon Avenue, a cul-de-sac. To the west is an embankment which has a public footpath running adjacent to Carrick Knowe Golf Course. To the north and south are two storey residential properties.

### **Site history**

July 1987 - Planning permission was refused for the change of use of garages to a commercial garage (1026/87) for the reasons that the intensification of commercial use would be detrimental to amenity with increased traffic noise and general disturbance.

July 1994 - Planning permission was refused for the change of use from lock up garages to store (94/00997/FUL) as the proposals would be detrimental to amenity by way of noise and disturbance, contrary to local plan policy and set an undesired precedent.

May 1998 - Planning permission was granted for two semi-detached dwellings (98/00215/FUL)

December 2001/February 2002 new owners agent enquired about 3 townhouses; advised that planning permission unlikely to be granted.

In April 2002 the agent contact the Department to ask whether an amended scheme, which would include increasing the height by 1.6 metres, could be treated as a variation to the original permission.

June 2002 - The agent was advised that the proposed changes required formal planning permission, and that there were concerns that the amendment may be out of character with the surrounding area, contrary to Policy H4 of the North West Edinburgh Local Plan.

No formal consent was sought and the development subsequently proceeded.

March 2004 - Neighbours complained that the new houses had not been built in accordance with the approved plans.

The agent was requested to make a retrospective application for the buildings as they have been currently constructed.

### **Development**

This application is retrospective and relates to a previous permission for two semi detached dwellings (Ref. 98/0215/FUL).

This application is a submission of the as built development of two semi detached townhouses two and half storeys in height. On the ground floor is a garage, hall, utility and bedroom. On the first floor is a kitchen/ dining and lounge. On the second floor there are two bedrooms and a bathroom.

Each house is slightly angled towards the street. The building measures in total 14 metres wide, 6 metres deep and 8.2 metres high.

The development as built is greater in size than that previously accepted by Committee. The main differences are: -

- an increase in roof height from 7.8 metres to 8.22 metres
- the boundary of the application site has moved 0.30 metres to the south
- the development lies closer to properties 19/21 by 1.27 metres. The approved plans show the distance from the application boundary to the front elevation of the properties 19/21 Glendevon Avenue as 5.6 metres but in reality it is 5.3 metres. The approved plans show the rear wall of the nearest new house to the boundary with 19/21 Glendevon Avenue as being 4.4 metres but in reality it is 3.4m. The fenestration of the dormers has been adjusted.

The materials are brown render and grey tiles.

The agent has submitted a statement in support of the application explaining the background. He points out that the approved plans submitted by a previous agent for the previous owner were inaccurate and rehearses what has happened since this was discovered. A copy of the statement is available in the Group Rooms.

### **Consultations**

No Consultations.

### **Representations**

Three letters of representation have been received. The grounds for objection relate to

- the development as built is 1.2 metres closer to neighbouring property and the height of the building is higher than the original plans
- reduction in sunlight and general outlook from No.21 Glendevon Avenue
- increased overshadowing
- The height of the proposed building, scaled from the original plans is approximately 7.9m. The amended plans shows a ridge height of 8.2 m. The actual height of the building is 8.61m (surveyed by reflectorless EDM)
- the building dominates the street

## **Policy**

The site lies in a Mainly Residential Area of the North West Edinburgh Local Plan where the existing residential character and amenities are to be protected. The site also lies in the Urban Area of the Draft West Edinburgh Local Plan.

Relevant Policies:

### **North West Edinburgh Local Plan**

Policy H5 states that within areas of predominantly residential character, the establishment or extension of a non-residential use will not be permitted if likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

Policy H3 requires all new housing development to make provision for landscaping and open space in conformity with the Council's standards.

Policy T4 states that adequate provision for car parking must be made by developers in all new development in conformity with the Council's adopted standards.

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

### **Draft West Edinburgh Local Plan**

Policy H1 General housing Policy seeks to encourage residential development, providing a satisfactory level of residential amenity can be achieved.

Policy H7 Housing Development Quality seeks to make best use of land without affecting the character of the area whilst make provision for amenities.

Policy H12 states that development which would result in an unacceptable reduction in amenity for residents in the locality will not be permitted.

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

## **3 Conclusions 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

To address the determining issues the Committee need to consider

- (a) whether the scale and design are satisfactory given the setting of the site;
- (b) whether the amenity of any nearby residents will be adversely affected by the proposed development

(a) The site is within an area allocated for mainly housing and compatible uses so a residential use is acceptable in principle.

The difference from the approved scheme (height increased by 0.42 metres the building closer to the boundary detailed design change) are not significant in the context of the street scene. The site is at the end of a cul-de-sac and the development forms a visual stop. The changes have no adverse effect on the character or visual amenity of the area.

(b) In terms of residential amenity, the building is approximately 1.3 metres closer to 19/21 Glendevon Avenue and is 0.42 metres higher than approved. The original approval acknowledged that there would be some overshadowing to the neighbouring properties to the north and south but that this would not have a significant effect on their amenity. The properties to the south belonged to the applicant at that time.

The changes result in an increase in the overshadowing of the front garden of the property to the south-west of approximately 50%. Most of the front garden would be affected, but that is also affected by the adjoining building itself, particularly as it is to the south west of its front garden and itself affects its sunlight. Calculations show that daylighting to the living accommodation of the adjoining property remains acceptable.

There are no windows proposed in the side elevations of the properties and impact on privacy is therefore not changed.

The effect on the outlook of the neighbouring property to the south west is greater, but does not affect its amenity to an extent that would justify refusal.

In conclusion the changes are acceptable in terms of scale and form and have no undue impact on residential amenity.

It is recommended that the Committee approves this application, subject to the condition stated.

  
Alan Henderson  
Head of Planning and Strategy

**Contact/tel** Jennifer Zochowska on 0131 529 3794 (FAX 529 3716)

**Ward affected** 27 -Stenhouse

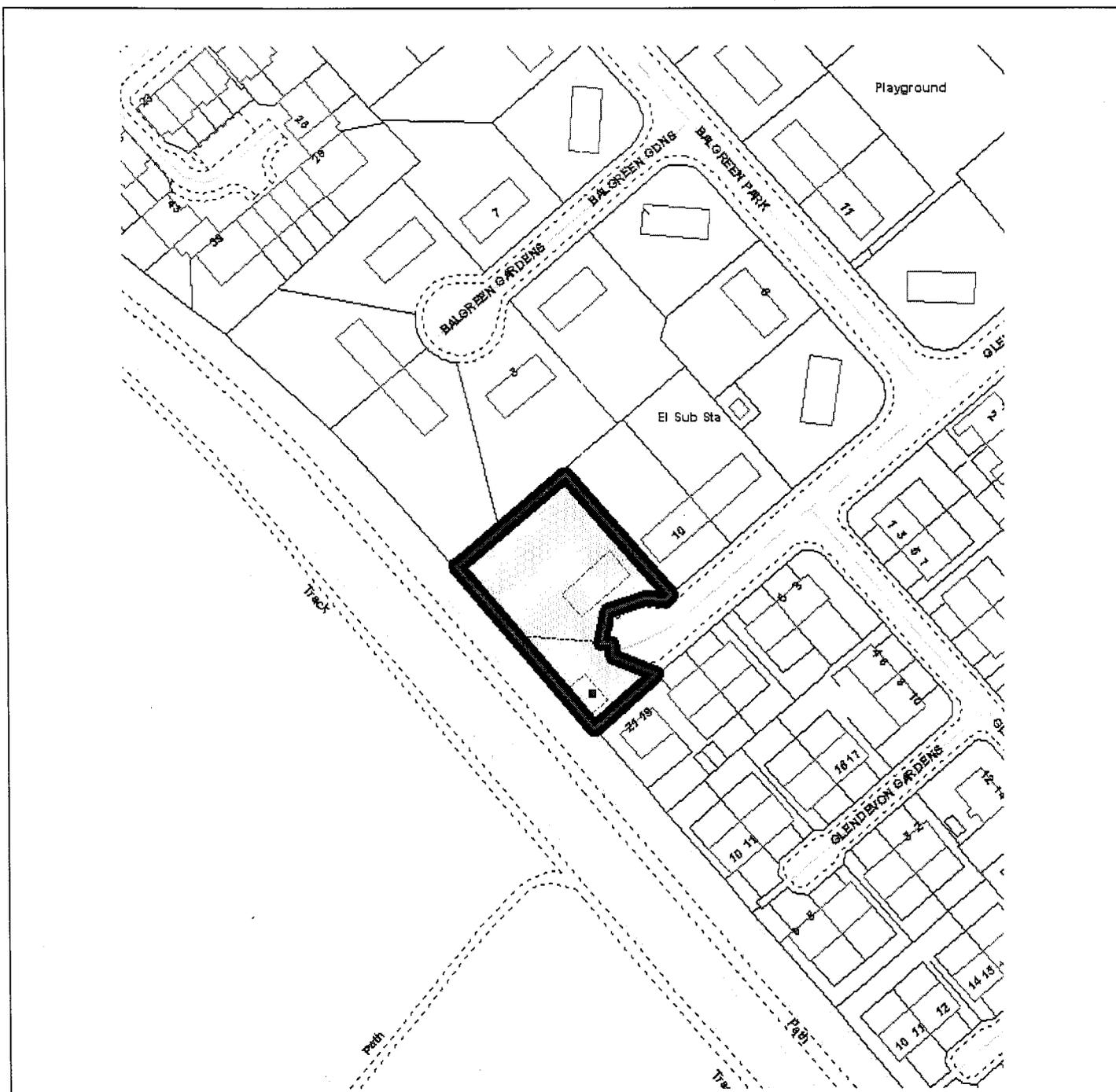
**Local Plan** North West Edinburgh Local Plan

**Statutory Development  
Plan Provision** Mainly Residential

**File**

**Date registered** 23 April 2004

**Drawing numbers/  
Scheme** 1-3



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# **PLANNING APPLICATION**

<b>Address</b>	<b>Glendevon Avenue, Edinburgh, EH12 5UN,</b>		
<b>Proposal</b>	<b>Erection of Two Dwellings</b>		
<b>Application number:</b>	<b>04/01471/FUL</b>	<b>WARD</b>	<b>27- Stenhouse</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			