

Full Planning Application
at
29 Pittville Street
(Pittville Street Lane)
Edinburgh
EH15 2BX

Development Quality Sub-Committee
of the Planning Committee

Proposal: Demolish garage/store and erect a 2 storey dwelling house in the garden of house at 29 Pittville Street (to be entered from Pittville Street Lane)

Applicant: Mr Laydon.

Reference No: 04/01548/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. Details of proposed slate and stone shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
3. Sample/s of the proposed slate and stone shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
 2. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
 3. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
 4. NB This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
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2 Main report

Site description

The application site is the rear garden of an early 19th century, two storey, four bay classical terraced house on the west side of Pittville Street. A single storey garage in the rear garden is accessed from Pittville Street Lane. The property is listed category C (S) and is within the Portobello Conservation Area.

Site history

There is no relevant planning history for this site.

Development

This is an amended application to demolish the single storey garage in the rear garden and erect a two-storey mews house. The mews house will have a garage, lounge/dining and kitchen on the ground floor and two bedrooms (one en-suite) with a bathroom on the upper floor. The walls will be constructed in stone and the roof will be finished in Scots or Welsh slate. A six metre deep garden will be provided with the house and it will be separated from the garden of the main house by a new stone wall.

In the original scheme, the garage door was to be set back from the entrance and the garden was to have been nine metres deep. The front and rear elevations have also been re-designed and chimneys have been added.

Consultations

Environmental and Consumer Services

No objections

Representations

The application was advertised on 28 May 2004.

15 letters of objection have been received, including one each from the Portobello Amenity Society and the Portobello Community Council. In addition, a petition with 36 signatures has been received in opposition to the proposals. One other letter of comment has been received.

Objections are raised on the following grounds:

- proposal would leave main house with a small garden
- the proposals constitute overdevelopment
- loss of parking and garage space
- loss of light and privacy to surrounding properties
- additional congestion in the lane would result
- new house will damage character of conservation area
- size, design and materials inappropriate
- proposed house would detract from the quiet and secluded character of the lane
- increase in on-street parking
- proposals contrary to Council policies

The letter of comment received was in relation to lack of information provided in the application form

Policy

The site is within an area of Housing and Compatible Uses of the North East Edinburgh Local Plan

Relevant Policies:

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

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 E27 (NEW DEVELOPMENT IN VILLA AREAS): sets out the essential requirements of approved guidelines which seek to regulate the form and layout of new development in the garden grounds of villa properties.

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

Non-statutory guidelines 'MEWS' provide guidance for car parking and new development in rear mews lanes.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

Non-statutory guidelines on 'VILLA AREAS AND THE GROUNDS OF VILLAS' provide guidance on development, to ensure the conservation and enhancement of villa areas.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;
- 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 needs to consider:

- a) whether the proposed use is acceptable in this location;
- b) whether the proposals have an adverse impact on the building or its setting;
- c) whether the proposals have an adverse impact on the character or appearance of the conservation area;
- d) whether the design is satisfactory given the setting of the site;
- e) whether the proposals are detrimental to residential amenity or road safety.

a) The application site is located within an area of Housing and Compatible Uses. It is also noted that there is already a significant number of residential units which front onto this lane, including three mews properties, one of which was constructed recently (to the rear of number 25). Taking the above considerations into account, the introduction of one further residential unit into this lane is acceptable in principle.

b) The existing single storey garage is in a very poor state of repair and its demolition and replacement with a new stone built dwelling represents a significant improvement, not only in the elevation to the lane, but also in the setting of the main house.

c) The character of the Portobello Conservation Area is described in the North East Edinburgh Local Plan as follows:

"Portobello Conservation Area includes several distinct character zones. The High Street provides a focus for the conservation area, retaining many original two storey Regency buildings as well as a number of significant public buildings. The seaside character of the Promenade is still evident despite the loss of the pier and the construction of several modern buildings of poor quality. The remainder of the area includes an abundance of fine Georgian (and later) villas as well as a robust stock of Victorian tenements, public buildings and churches."

In common with many other garage premises within this lane, the existing single storey garage on the site is in a very poor state of repair and has no redeeming architectural features of any quality. As a result, it detracts significantly from the character and appearance of the conservation area. The proposal to demolish this unsightly building and construct a new mews house would make a positive contribution to the enhancement of the character and appearance of the conservation area. In particular, the house will be constructed in high quality materials - notably stone, slate and timber - appropriate to its surroundings and will be of a scale and character suitable within a mews lane.

d) The original design for the mews house lacked interest, displayed poor window proportions and was to incorporate inappropriate materials. It also would have resulted in overlooking of adjacent garden ground. The revised proposal addresses all the above concerns and the resulting design is acceptable, given the setting of the site. The proposed mews

house complies with most aspects of the Council's non-statutory Mews guidance. However, the depth of the house and the width of the garage door do not comply. With regard to the depth, the house is to be seven metres deep rather than six metres as stated in the guidance. In this case, however, the house will be only 500mm deeper than the existing building on the site, but no deeper than the adjacent building at number 27. The proposed garage door is to be three metres wide rather than the two and a half stated in the guidance. However, the lane is very narrow and this width of garage door is required to ensure access for a vehicle. Furthermore, Number 29 has a very wide feu and a slightly wider garage door would not look out of proportion. In the above circumstances, it is considered that exceptions to the guidance are justified.

e) Concerns have been raised regarding the potential loss of privacy to surrounding properties. With regard to the rear elevation, the intention to erect a high stone wall at the end of the garden will ensure there is no loss of privacy to the garden of the main house. The windows on the upper level have been re-designed to ensure there will be no overlooking to any of the adjacent properties. Although the distance to the rear wall of the main house will be less than the required 18 metres, the design of the rear elevation of the proposed house will ensure there are no windows directly facing each other. The distance between the front windows of the new house and the existing mews house on the other side of the lane would be significantly less than 18 metres, being only the width of the lane apart. However, the two houses would not be directly opposite and there would be no windows looking directly into each other. Furthermore, to apply this minimum distance to such a situation would fail to take into account the tight urban context and would prevent a form of development that has been accepted for many years by residents living in similar areas. A relaxation of the minimum distance is therefore justified.

Concerns have also been raised regarding the overshadowing of adjacent garden ground. However, there is a large single storey garage in the adjacent garden of number 27 which means that there will be no overshadowing of the garden ground of this property. Although there will be overshadowing of a small area of the garden of number 31, this area is between the boundary wall with number 29 and an existing single storey garage. This small area is also shaded by a large tree in the garden of number 31. In these circumstances, it is not considered that any loss of light to this small area would have any significant impact on the amenity of number 31.

The introduction of a new house incorporating a single garage is unlikely to result in a significant increase in vehicular traffic or to have any major impact upon pedestrian use of the lane; there are a considerable number of garages already occupying a frontage on to the lane both to the north and south of the application site. It is accepted that the creation of an additional dwelling may lead to increased pressure on street parking on Pittville Street. However, it is not considered that this will lead to significant problems in this area.

The proposals have no adverse effect on the character or appearance of the conservation area or the setting of the listed building and have no detrimental impact on residential amenity or road safety. Although the proposals do not fully comply with the Council's development plan policies and non-statutory guidelines, it is considered that the minor departures outlined are justified for the reasons given.

There are no material planning considerations which outweigh this conclusion.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel Martin Easson on 0131 529 3989 (FAX 529 3717)

Ward affected 40 -Milton

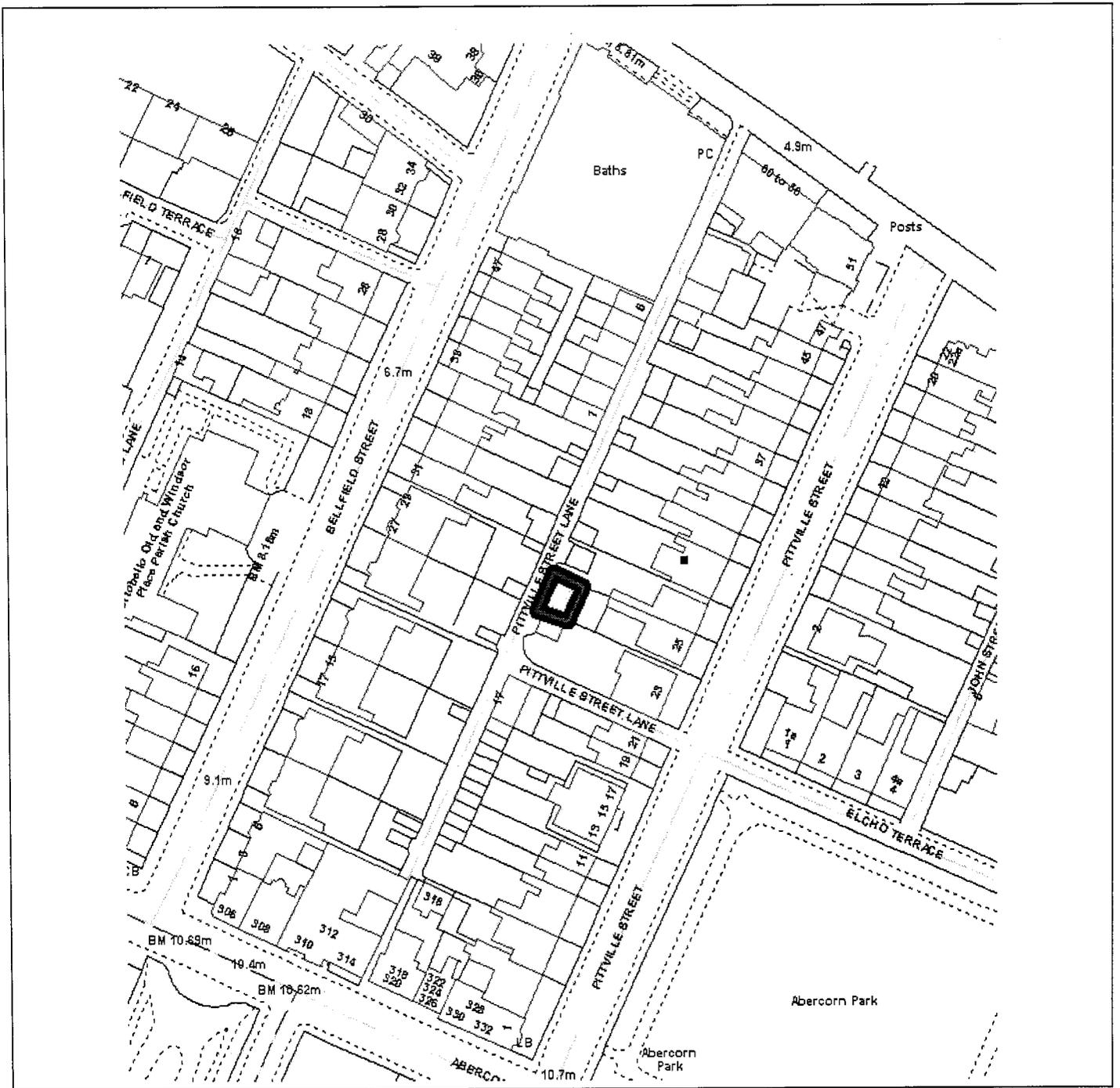
Local Plan NEELP

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 13 May 2004

**Drawing numbers/
Scheme** 03-05
Scheme 2



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PLANNING APPLICATION

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