

Development Management Sub Committee

Wednesday 26 September 2018

Application for Planning Permission 17/04942/FUL At 67 Prestonfield Avenue, Edinburgh, EH16 5EX 9 No two bedroom flats and associated car parking on vacant plot (as amended)

Item number	Item 4.5
Report number	
Wards	B15 - Southside/Newington

Summary

The proposal complies with the development plan and non-statutory guidance. The proposal is acceptable in this location, is of appropriate design, scale and form, will provide an adequate level of amenity for both neighbours and future occupiers, will have no adverse impact on traffic and road safety, or trees, and will retain the footpath to the east of the site. There are no other material planning considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES01, LDES04, LDES05, LDES06, LDES07, LDES08, LEN12, LEN21, LHOU01, LHOU02, LHOU04, LTRA03, LTRA04, LTRA09, NSG, NSGD02,
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Report

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Recommendations

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

Background

2.1 Site description

The site lies to the north of Prestonfield Avenue which was formerly occupied by a church hall. To the west of the site is the Prestonfield Neighbourhood Centre and to the east lies an area of open space owned by City of Edinburgh Council. A public footpath runs along the eastern perimeter of the site adjacent to the open space. Detached bungalows lie to the north, on Priestfield Road, and directly opposite the site is Prestonfield Bowling Green, flanked by three storey local authority housing blocks. Prestonfield Park is immediately to the south of the bowling green.

2.2 Site History

29 September 2006 - Planning permission granted for the erection of townhouses (amended to three); demolition of existing church hall (Application number 05/01756/FUL)

27 March 2014 - Planning permission granted for the erection of three flats and three maisonettes (Application number 08/01644/FUL)

Main report

3.1 Description Of The Proposal

This application proposes to erect a three storey block of flats containing nine two bedroom units on a site that is 798 sqm in area. The building will have a shallow pitched roof with a standing seam effect. Wall cladding will be a combination of masonry and render with timber fenestration.

Flat sizes range between 68 sqm and 72 sqm. There will be one parking space per flat in an area of hard standing to the west of the building. Vehicular access is off Prestonfield Avenue. Waste storage is to the rear of the site and is collected via access from Priestfield Road. Cycle parking is to the north of the building in two covered areas containing Sheffield cycle racks to accommodate 18 bicycles.

Scheme 1

The proposals as originally submitted showed an alternative arrangement for waste collection, no cycle parking and slightly different floor plans. The footpath was gated.

Supporting Statements

As part of this application the following documents have been submitted which are available to view on the Planning and Building Standard's Online Services:

- Drainage Report and Layout;
- Surface Water Management Report;
- Bike Shelter Specifications;
- Development Impact Assessment; and
- Sustainability Statement

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 principle of the development is acceptable in this location;
- b) the proposals are of an appropriate scale, form and design;
- c) the proposals will result in an unreasonable level of neighbouring residential amenity;
- d) the proposals will result in an adequate level of amenity for the future occupiers of the development;
- e) the proposals will have any traffic or road safety issues;
- f) the proposals will have detrimental impact on flooding;
- g) the proposals will have detrimental impact on trees;
- h) there are any other material considerations;
- i) any impacts of equalities and human rights have been addressed; and
- j) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

The site was formerly occupied by a church hall. The principle of a residential use in this location was established in the previous consents. The area is primarily residential in area and the principle of a residential use is acceptable. Policy Hou 1 supports residential development subject to compliance other points addressed below.

b) Scale, Form and Design

Policy Des 1 states that development will be supported where it is demonstrated that it can contribute towards a sense of place. Policy Des 4 supports development that will have a positive impact on its surroundings having regard to height, form, scale, materials and positioning.

The area is characterised by a mixture of single storey dwellings and three storey flats. The proposed three storey structure will be of an appropriate scale within the prevailing urban context. Materials are a combination of masonry and render which is appropriate in an area that is dominated by rendered buildings. The Grange/Prestonfield Community Council is concerned about the lack of a set back from the front boundary, however, the adjacent Neighbourhood Centre is located with a similar relationship to the street. The presence of the bowling green across the street means that the sense of spaciousness will be retained.

The scale, form and design are appropriate to the area. The design draws from the positive characteristics of the surrounding area and complies with Policy Des 1 and Des 4.

c) Neighbouring Amenity

There are no neighbouring properties within close proximity to the development and the proposals will have no detrimental impact on residential amenity. The proposals therefore comply with Policy Des 5 relating to amenity

d) Amenity of Future Occupiers

The proposed flats will meet minimum space standards as set out in the Edinburgh Design Guidance and are dual aspect. They will therefore comply with Policy Des 5. In terms of open space provision there will be private gardens for the ground floor flats and communal garden provision of 125 sqm for the remaining six flats. The amount of garden area provided meets minimum requirements as set out in Policy Hou 3. There is also a small park immediately to the east of the site and Prestonfield Park is to the south of the site.

The amenity of future occupiers of the flats will be satisfactory.

e) Traffic or Road Safety Issues

Policies Tra 2, Tra 3 and Tra 4 relate to the provision and design of the car and cycle parking.

The development will provide one vehicular parking space per flat and Transport are content with this level of provision in this location. Two cycle parking spaces are proposed per flat. Transport are content that the revised scheme present the appropriate design and quantity of cycle storage. The provision of parking for both vehicles and bikes is appropriate.

The Grange/Prestonfield Community Council has commented on the proximity of the bus stop to the entrance, however Transport has no concerns in this regard.

There will be no adverse impact on traffic and road safety

f) Flooding Issues

Policy Env 21 presumes against development that would increase flood risk or at be at risk of flooding.

The applicant has submitted information that satisfies the flood team that the proposals are satisfactory in this respect.

g) Impact on Trees

Policy Env 12 presumes against development that will adversely impact trees worthy of retention.

There is a row of cherry trees planted within the small park to the east on the boundary with the footpath. Although the crowns of the trees will be required to be taken back for the development, this should not affect the overall health of the trees.

There will be no adverse impact on the trees.

h) Other Material Considerations

The application has been amended to address concerns about the bins. Access to communal bins is from Priestfield Road and the footpath is no longer gated.

Concerns on the part of some members of the public that this right of way would become blocked have therefore been addressed and the footpath remains.

In order to ensure that the land is free of contaminants a condition is added to ensure that the appropriate investigations are done and actions are taken to mitigate their effects where necessary.

i) Equalities and Human Rights Issues

The flats proposes no particular features to facilitate accessibility. However they will need to comply with any requirements imposed under Building Regulations.

The proposals will have a neutral impact on equalities and human rights. An Equalities and Human Rights Impact Assessment has been completed.

j) Public Comments

Material objections

- Design, density, scale, height and materials. Points raised with regard to design and positioning are addressed in section 3.3.b)
- Neighbouring residential amenity, These issues including sunlight, daylight and privacy are addressed in section 3.3.c)
- Traffic and road safety - Issues with respect to parking provision and access points are assessed in section 3.3.e)
- Flooding - Comments with respect to flood risk are assessed in section 3.3.f)
- Trees - Concerns over the impact on trees is addressed in section 3.3.g)
- Right of way - Concerns over the possible loss of a footpath has been addressed by a revised scheme and is addressed in section 3.3.h)
- Waste collection - Issues with respect to waste storage and collection are assessed in section 3.3.h)

Non-material objections

- Impact on views. This is not a material consideration within the planning process

Community Council objections

The Community Council had the following concerns:

- Design, density, scale, height and materials. Points raised with regard to design and positioning are addressed in section 3.3.b)
- Traffic and road safety - Issues with respect to parking provision and access points are assessed in section 3.3.e)
- Right of way - Concerns over the possible loss of a footpath has been addressed by a revised scheme and is addressed in section 3.3.h)
- Waste collection - Issues with respect to waste storage and collection are assessed in section 3.3.h)

CONCLUSIONS

In conclusion, the proposal complies with the development plan and non-statutory guidance. The proposal is acceptable in this location is of appropriate design, scale and form, will provide an adequate level of amenity for both neighbours and future occupiers, will have no adverse impact on traffic and road safety or trees and will retain the footpath to the east of the site. There are no other considerations which outweigh this conclusion and approval is recommended.

The recommendation is subject to conditions on landscaping, materials and contaminated land.

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

3.4 Conditions/reasons/informatives

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
3. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development 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.
4. The applicant should install 7Kw type 2 charging points serving all car parking spaces.

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Neighbours were notified of this application on 8 November, 2017. In all there have been nine letters of representation from seven neighbours, the Priestfield Flooding Group (a residents association) and the Grange/Prestonfield Community Council, all objecting to the proposals.

A full assessment of the representations can be found in the main report in the Assessment section.

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

The site is located within the urban area, as defined by the Local Development Plan.

Date registered

24 October 2017

Drawing numbers/Scheme

1, 2c, 3a, 4a, 5, 6a, 7a,

Scheme 4

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

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 Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

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 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

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

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

Relevant Non-Statutory Guidelines

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.

Appendix 1

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Consultations

Transport

Response dated 20 April 2018

Further to the memorandums of 1 February 2018 and 3 April 2018, I confirm that the proposed cycle parking is acceptable.

Therefore, there are no objections to the proposed application.

Response dated 3 April 2018

Further to the memorandum of 1 February 2018, the proposed cycle parking is not considered to meet the requirements of the Edinburgh Design Guidance. This requires 2 spaces per unit for 2 room units, i.e. 18 total, and also states that "High quality cycle parking, including secure storage, is essential in making cycling as attractive as possible".

The proposed 'monkey bars' appear to be in an open location with no protection or security and to be of a type which is not considered acceptable for cycle storage. Cycle parking is expected to be of 'Sheffield' rack type and within a secure and undercover area.

The application should therefore be refused.

Should you be minded to grant the application, the applicant must be required to comply with the requirements of the Edinburgh Design Guidance as set out above.

Response dated 1 February 2018

The application should be refused.

Reasons:

The proposed site includes an adopted footway which serves a public purpose.

Note:

The principal of residential development on this site is potentially acceptable provided that the existing footway is maintained as a public right of passage (i.e. 'road'). A number of other issues would require to be addressed including cycle parking, refuse collection and electric vehicle charging.

Environmental Services

The applicant proposes developing nine flats with supporting car parking spaces on currently vacant land. The site is located in a predominantly residential area although it is noted that there are community centres and a bowling green located in close proximity. There are existing residential properties already located closer to these centres and bowling green therefore Environmental Protection have no concerns regarding noise.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)

The application includes 9 car parking spaces, Environmental Protection recommends that the applicant install electric vehicle charging points for each space.

Therefore, Environmental Protection offer no objection to this proposal subject to the following condition;

i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

Informative

The applicant should install 7Kw type 2 charging points serving all car parking spaces.

Flooding

We are now happy for this to proceed to determination with no further comment from Flood Prevention.

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 nine flats are not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Waste Services

I have been asked to consider this application on behalf of the Waste Management Service.

Waste and cleansing services takes no stance either for or against the proposed development but as a Consultee would make the following comments:

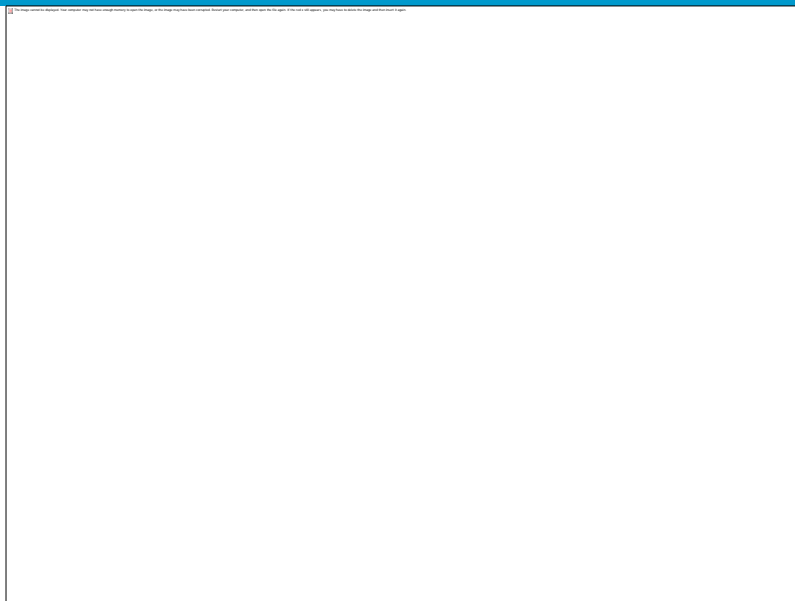
Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a development of 9 residential flats on Prestonfield Avenue. The application form refers to Refuse storage for individual bins. We would not expect a flatted development to use individual bins. This type of development should be using communal shared bins. Please can you amend the plans ensure the bin store meets the council's refuse requirements as outlined in section 2.10 of The City of Edinburgh Design Guidance and is indicated on the Plans as Proposed submitted as part of this application. Please provide drawings of the location of the bins store, types and quantity of bins and indicate where the refuse vehicle collection point would be. Please provide estimated timescales of when this development will be complete and habited.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.

In view of these factors the developer must contact Waste Services on 0131 469 5667 or hema.herkes@edinburgh.gov.uk at the earliest point for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc.

Location Plan



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