

# Development Management Sub Committee

Wednesday 22 January 2020

**Application for Planning Permission 18/09541/FUL  
at 9 Barnton Avenue West, Edinburgh, EH4 6DF.  
Demolition of existing residential property and erection of  
11 flatted dwellings (as amended).**

Item number

Report number

Wards

B01 - Almond

## Summary

---

The principle of residential development on this site is acceptable. The proposal will not have a detrimental impact on the spatial character of the area and is of an appropriate design quality. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers of the flats. The proposal raises no issues in respect on transport. The proposal complies with the Edinburgh Local Development Plan and relevant non-statutory Guidance.

## Links

---

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LDEL01, LDES01, LDES03, LDES05, LEN12, LEN16, LEN21, LTRA02, LTRA03, NSG, NSGD02,

# Report

## **Application for Planning Permission 18/09541/FUL at 9 Barnton Avenue West, Edinburgh, EH4 6DF. Demolition of existing residential property and erection of 11 flatted dwellings (as amended).**

### **Recommendations**

---

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

### **Background**

---

#### **2.1 Site description**

The application site is located on the north side of Barnton Avenue West on the corner with Barnton Brae. There is an existing 1950's residential dwelling on the site, which will be demolished. The house is a large, two storey detached villa with a sizeable garden surrounded by mature landscaping and trees. There is a large circular tarmac parking area to the front of the house with a single vehicular access point onto Barnton Avenue West.

Large detached residential properties surround the site.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

---

#### **3.1 Description Of The Proposal**

The application is for the demolition of the existing detached house on the site and construction of eleven flats with associated parking, landscaping and cycle storage.

The building is three storeys in height and is designed as a single block with a pitch roof before levelling to a dark grey single ply membrane flat roof. A number of roof terraces are also proposed. The height of the proposed building will not sit any higher than the existing dwelling which currently sits at 54.35 metres AOD.

The flats will encompass the following layout:

#### Ground Floor Level

Two two-bedroom flats with a floor area of 147 and 151 square metres and two three bedroom flats with a floor area of 130 and 131 square metres;

Bike storage facility with provision to store 20 bicycles.

### First Floor Level

Four three bedroom flats with a floor area of 131 square metres;

### Penthouse Level

Two three bedroom flats with floor area of 155 and 162 square metres and one four bedroom flat with a floor area of 228 square metres.

Materials proposed are slate tile roof, dark grey facing brick, white/off white and grey smooth sand/cement render and grey aluminium windows and doors.

### Scheme One

The original scheme was amended from 15 to 11 flats, the footprint of the building has been reduced. A pitched roof has reduced the scale and massing of the building.

### Supporting Documents

The applicant has submitted the following supporting documents which are available to view on Planning and Building Standards on-line services:

- Visualisations;
- Supporting Statement;
- Tree Survey;
- Drainage Strategy and;
- Landscape and Visual Appraisal.

## **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 proposal is acceptable in principle;
- b) the scale, form, design and materials are acceptable;
- c) the development will impact on residential amenity;
- d) the proposal will provide sufficient amenity for future occupiers;

- e) the landscape impacts are acceptable;
- f) the proposal raises any concerns in relation to transport;
- g) there are any other material considerations and
- h) any material comments made in representations have been addressed.

a) Principle

Policy Hou 1 (Housing Development) in the Edinburgh Local Development Plan (LDP) supports the delivery of housing on suitable sites in the urban area, provided proposals are compatible with other policies in the Plan.

The application site is designated urban area as defined by the LDP. The principle of residential development is acceptable in this location.

The proposal complies with Policy Hou 1.

b) Scale, Form, Design, Materials and Density

LDP Des 1 (Design Quality and Context) and Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area and that development should demonstrate that the existing characteristics have been incorporated and enhanced through its design and will have a positive impact on its surroundings. Policy Hou 4 (Housing Density) seeks appropriate density on each site.

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact on the immediate surroundings, through its height and form; scale and proportions, positioning of the buildings on site and materials and detailing.

The surrounding area encompasses large single dwellings set within generous garden grounds. The proposed footprint is larger than the existing dwelling but the plot is sufficiently large to accommodate this increase whilst maintaining the landscape setting of the site. The proposed building is three storeys in height and the roof has been designed to reduce the overall massing of the building. The building sits comfortably within the general context of the area and integrates well within the wider townscape area.

The proposed design and use of materials on the main elevations is appropriate in this context where there is no set rhythm to the streetscape.

The overall design will make a positive contribution to the site with an appropriately scaled and designed building.

The development complies with LDP policies Des 1 and Des 3 and the Edinburgh Design Guidance.

## Density

LDP policy Hou 4 (Housing Density) seeks an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

The density of the housing proposed in this application is higher than the density of surrounding houses. However, the development is of a domestic scale and can be inserted into the site without having a detrimental impact on the wider amenity or character of the area.

Within the wider context of the site there is a higher density of development located to the west. The increased density and footprint of the development proposed on this site is acceptable and will not have a detrimental impact on the spatial character of the area, which is already diverse.

The site provides good accessibility to public transport. It is in close proximity to bus routes to the city centre on Whitehouse Road, approximately 330 metres from the site. This provides a regular daily service to the city centre and to the Heriot Watt University campus.

The proposal complies with Policy Hou 4 in the LDP and the Edinburgh Design Guidance.

### c) Neighbouring Amenity

Policy Des 5 (Development Design - Amenity) in the LDP states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected. Consideration must be given to neighbouring properties to ensure that there are no unreasonable noise impacts or loss of daylight, sunlight or privacy and immediate outlook.

The footprint of the proposed building will not sit any closer to the east and western boundary than the existing property. The nature of this proposed development is different to that of a single dwelling and there are windows proposed on the gable elevations. The site is enclosed with mature planting on the western boundary and there is also mature planting to the neighbouring property at number 2 Barnton Brae; this property sits approximately 15 metres away from its boundary and is sufficiently positioned to ensure there will be no loss of privacy from the proposal. The windows on the east facing elevation are for bathrooms and will not raise any privacy issues.

The proposed development complies with the daylighting and overshadowing and privacy standards in the Edinburgh Design Guidelines and will not result in an adverse impact on neighbouring amenity.

The proposal will not have an adverse impact on neighbouring amenity and complies with Policy Des 5 in the LDP.

#### d) Amenity for Future Occupiers

Policy Hou 2 (Housing Mix) seeks the provision of a mix of housing types and sizes to meet a range of housing needs, including for families, having regard to the characteristics of the area surrounding a site and its accessibility.

The internal floor area ranges from 130 square metres to 228 square metres and provides a mixture of 2, 3 and 4 bed apartments. The proposal provides a mix of accommodation to meet a range of housing needs.

Green open space will be provided within the large area to the south of the site, surrounding the flatted block, to the rear of the building and within the terraces. These areas are useable communal open space and meet our standards set out in policy Hou 3 (Private Green Space in Housing Developments).

The development complies with LDP policy Hou 2 and Hou 3.

#### e) Landscape

Policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for arboricultural reasons. Policy Env 16 (Species Protection) of the LDP states that development that would have an adverse impact on species protection will not be granted.

The site is set within established gardens which encompass a broad range of species and age. These range from mature oaks, sycamores and an elm located in the southern half of the garden along with semi mature trees along the western boundary with Barnton Brae. The trees located to the south and west of the site form the established character of this site but are not protected by a tree preservation order. A tree survey was submitted and this recommended a total of three trees were to be removed due to significant decay and safety reasons. Their removal is considered acceptable and will be mitigated through the new planting proposed as part of the proposal.

An Ecology Survey has been submitted by the applicant. No evidence of any bats was found on site.

The proposal complies with LDP policies Env 12 and Env 16.

#### g) Transportation Issues

Policy Tra 2 (Private Car Parking) in the LDP deals with private car parking and states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council Guidance.

Car Parking Standards are set out in the EDG. The proposal will provide 20 surface parking spaces; these include two disabled and four spaces with EV charging points. Cycle storage will be provided within the ground floor level of the flatted block and will provide storage for 20 cycles. The proposal complies with the maximum standard set in the EDG and Policies Tra 2 and Tra 3 in the LDP.

#### h) Other Material Considerations

##### *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 net increase in the estimated number of pupils expected to come from the site as a result of the demolition of one existing residential house and the development of 11 flats in its place is not expected to be at least one additional pupil. A contribution towards education infrastructure is therefore not required.

##### *Flooding*

A Surface Water Management Plan was submitted. Flooding has raised no objections to the application.

#### i) Public Comments

##### **Material Representations - Objection**

- scale of development is excessive - addressed in section 3.3 b)
- out of character with the density of housing in the area - addressed in section 3.3 b)
- loss of privacy - addressed in section 3.3 c)
- increase in traffic - addressed in section 3.3 g)

##### **Cramond and Barnton Community Council**

The Cramond and Barnton Community Council was consulted as a statutory consultee and has made the following observations:

- The principle of replacement residential development of an appropriate design and scale in this location is accepted.
- The changes in term of reduced scale, break up of facades, use of pitched roofs and traditional materials and the increase in parking for the site are welcomed.

There are still concerns over the following:

- proximity of the development to the Barnton Brae boundary - assessed in section 3.3(d). It has been demonstrated that the proposal will not have an adverse impact on this.
- the removal of mature trees along this boundary. It is noted that these will be mitigated by replanting - assessed in section 3.3(e) it has been demonstrated that the proposal will not have an adverse impact on this.

### Conclusion

The principle of residential development on this site is acceptable. The proposal will not have a detrimental impact on the spatial character of the area and is of an appropriate design quality. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers. The proposal raises no issues in respect on transport. The proposal complies with the Edinburgh Local Development Plan and relevant non-statutory Guidance.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

#### **Reasons:-**

1. In order to protect existing trees.

#### **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.



## **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 is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

---

### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Twenty-eight letters of objection regarding the proposal were received to scheme 1. Seventeen letters were received to scheme 2. A full summary of the matters raised by the objectors can be found in section 3.3 (i) of the main report

## **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**

Edinburgh Local Development Plan - The site is located within an Urban Area.

### **Date registered**

15 November 2018

### **Drawing numbers/Scheme**

01A, 02C,04A,07B,08B,09A,10A,11A,12-14,15A,16,17,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel: 0131 529 3905

## **Links - Policies**

---

### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

### **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

## **Application for Planning Permission 18/09541/FUL At 9 Barnton Avenue West, Edinburgh, EH4 6DF Demolition of existing residential property and erection of 11 flatted dwellings (as amended).**

### **Consultations**

---

#### **Cramond and Barnton Community Council**

*Cramond and Barnton Community Council has sought statutory consultee status and fully considered this application. The Community Council offers the following observations.*

*Principle of development: The principle of replacement residential development of an appropriate design and scale in this location is accepted.*

*Lack of landscape containment and unacceptable scale and massing: The retention of existing mature trees and other vegetation on the southern portion of the site and location of the replacement building on the rear-most section of the site is welcomed, as this provides some visual containment to the development from Barnton Avenue West. However, the scale and massing of the proposed building and, in particular, the resultant proximity of the western, northern and eastern western facades to the road/property boundaries on these sides, along with the removal of existing vegetation along most of these boundaries in proximity to the proposed building, does not provide the degree of visual and landscape containment that would be consistent with that provided in neighbouring properties and is characteristic of this part of Barnton Avenue West.*

*For the reasons given above, the Community Council urges the Planning Service to refuse the current application and to seek a more modest scale and massing of development. This would enable the retention and/or replacement of tree and shrub cover along the northern, eastern and western boundaries of the site in proximity to the proposed apartment building; thereby providing a greater degree of landscape containment to the development and reducing the adverse impacts on the privacy and amenity of neighbouring properties. In the above respects, the Community Council considers that the proposals are contrary to LDP policies Des 4 and Des 5 and principles set out in Edinburgh Design Guidance.*

*The design and choice of materials for roofing does not respect the character of the surrounding area: The design, height and massing of the proposed building will diminish the character and appearance of the surrounding area and the metal-clad, flat-roofed, penthouse elements do not reflect the predominantly apex styles and more traditional materials of roofing on neighbouring properties. Hence, the development is contrary to LDP policies Des 1 and Des 4 and guidance in Edinburgh Design Guidance and the Council's Barnton Avenue West Design Brief.*

*Sewerage Capacity: The Community Council's attention has been brought to capacity constraints on sewerage and surface water networks in the vicinity of the development site and requests that the City Council and its statutory partners should pay particular attention to issues of capacity in the local sewerage and drainage networks in their assessments of this development.*

*As the proposed apartments are likely to be inhabited by fairly affluent residents and the development is distant from shops, businesses and other amenities, many households are likely to have access to more than one vehicle. Consequently, the Community Council considers that 15 under-croft parking spaces and 10 external spaces are inadequate for the 15 households and their visitors and likely to result in on-street parking. Consequently, the Community Council encourages the City Council to seek additional on-site parking provision.*

### **Cramond and Barnton Community Council updated response 7/12/2019**

*The Community Council has reviewed the revised application and wishes to record the following observations -*

*a) Principle of development: The principle of replacement residential development of an appropriate design and scale in this location is accepted. The Community Council maintains its reservations regarding the scale and massing of this proposed development, while accepting that it is well screened by mature vegetation from Barnton Avenue West.*

*b) Recognition of amendments and reduced scale of development: The Community Council welcomes the amendments, which -*

- reduce the scale, density and visual impacts of the previously proposed 4-storey development*
- provide more varied facades and break up the stark visual appearance of the previously proposed frontages*
- replace the fourth-floor penthouse flats with pitched roofs of a more traditional style and materials*
- have given consideration to concerns regarding site drainage*
- increase the number of parking spaces and lessen the likelihood of on-street parking.*

*c) Reservations with regard to proximity of the building to the western boundary: The Community Council maintains significant concerns regarding the proximity of the proposed development to the Barnton Brae boundary and proposed removal of mature trees along this boundary in the vicinity of the proposed new building. We note, however, that proposals for the planting of heavy standard trees in this vicinity will mitigate some of the loss of screening currently provided by the trees which are to be removed.*

### **Roads Authority Issues**

Updated response 13/12/19

*Further to the memoranda of 21 December 2018 and 14 June 2019, there are no objections to the proposed amendments to the application subject to the previous conditions or informatives being included as appropriate.*

## Response

*Further to the memorandum of 21 December 2018 concerning the above, there are no objections to the proposed application subject to the following being included as conditions or informatives as appropriate:*

- 1. Cycle parking specification and layout to be to the satisfaction of the planning authority. No details of the proposed specification and layout of the proposed 37 cycle parking spaces have been provided;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport;*
- 3. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

### *Note:*

- o The proposed 27 car parking spaces, including 4 electric vehicle charging points and 2 disabled vehicle spaces, are acceptable and within the maximum 30 spaces permitted under the Council's parking standards;*
- o It is still noted that the layout of the basement car park is poor with some of the spaces potentially unusable.*

## **Communities and Families comment**

*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.*

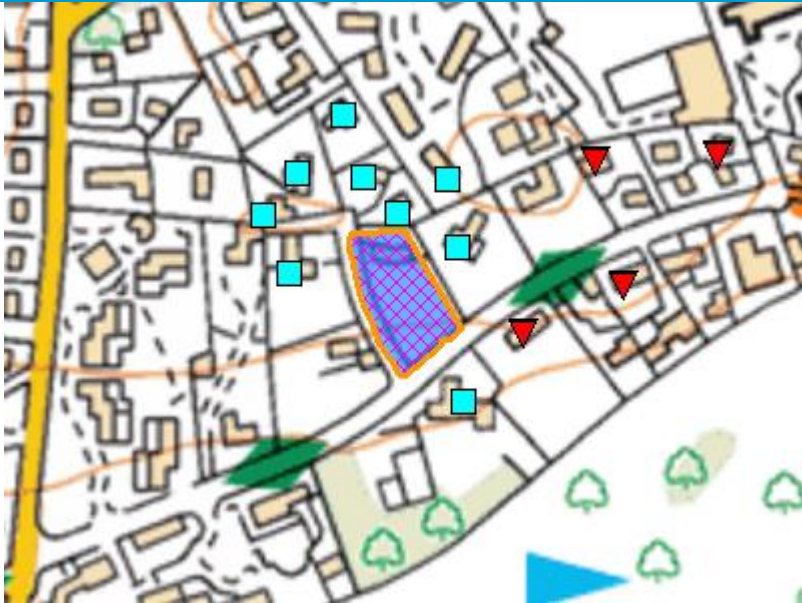
*Using the pupil generation rates set out in the Supplementary Guidance, the net increase in the estimated number of pupils expected to come from the site as a result of the demolition of one existing residential house and the development of 15 flats in its place is not expected to be at least one additional pupil. A contribution towards education infrastructure is therefore not required.*

## **Flood Prevention comment**

*This (drainage information and certificates) now addresses all of Flood Prevention's comments and the application can proceed to determination.*

## Location Plan

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420  
**END**