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Decision date: 5 November 2019

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Planning permission in principle for the erection of a single dwelling house including car parking space.

At Land 24 Metres West Of 358 South Gyle Road Edinburgh

Application No: 19/04343/PPP

DECISION NOTICE

With reference to your application for Planning Permission in Principle registered on 11 September 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reason for Refusal:-

1. The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4 Env 12 and Env 21 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area, would result in the loss of trees and landscaping worthy of retention, would not create a satisfactory

residential environment and raises issues in respect of road maintenance and flood prevention.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal is not acceptable as it would result in the introduction of an incongruous development into an established landscaping strip and would have an adverse impact on the character and appearance of the surrounding area. The proposal would result in the loss of trees and landscaping worthy of retention, would not result in the creation of a satisfactory residential environment and raises issues in respect of road maintenance. In addition, it has not been satisfactorily demonstrated that the proposal will not be at risk of flooding or will not increase the flood risk to the surrounding area. The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4, Des 5, Env 12 and Env 21 of the adopted Edinburgh Local Development Plan.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly on 0131 469 3743.

D R Leech

Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission in Principle 19/04343/PPP

At Land 24 Metres West Of 358, South Gyle Road, Edinburgh
Planning permission in principle for the erection of a single dwelling house including car parking space.

Item	Local Delegated Decision
Application number	19/04343/PPP
Wards	B03 - Drum Brae/Gyle

Summary

The proposal is not acceptable as it would result in the introduction of an incongruous development into an established landscaping strip and would have an adverse impact on the character and appearance of the surrounding area. The proposal would result in the loss of trees and landscaping worthy of retention, would not result in the creation of a satisfactory residential environment and raises issues in respect of road maintenance. In addition, it has not been satisfactorily demonstrated that the proposal will not be at risk of flooding or will not increase the flood risk to the surrounding area. The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4, Des 5, Env 12 and Env 21 of the adopted Edinburgh Local Development Plan.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LHOU04, LDES01, LDEL04, LDES05, LEN21, LTRA02, NSG, LEN12,
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Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site consists of a landscaping strip covering an area of 0.0992 hectares (ha), located on the north eastern side of the South Gyle Broadway/Gogarloch Road/South Gyle Crescent Roundabout. The northern section of the strip extends along the eastern side of Gogarloch Road. The surrounding area has a mixed residential/commercial character. The area directly to the north, east and west is characterised by modern style residential development. The area to the south is characterised by offices and modern commercial buildings.

2.2 Site History

02.07.2018 - Application refused for; Redevelopment of area of landscaping into small residential development comprising detached houses - (18/00618/PPP).

Main report

3.1 Description Of The Proposal

The proposal is for the erection of a single dwelling house within the northern section of the application site.

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, it needs to be considered whether:

- a) The proposal can be considered acceptable in principle;
- b) The proposal would have a detrimental impact on the character and appearance of the surrounding area;
- c) The proposal will result in the creation of a satisfactory residential environment;
- d) The proposal would have a detrimental impact on the amenity of neighbouring residents;
- e) The proposal raises any issues in respect of parking, road safety and maintenance;
- f) The proposal raises any issues in respect of flood prevention;
- g) The proposal raises any issues in respect of the removal of trees and vegetation worthy of retention;
- h) The proposal raises any issues in respect of equalities and human rights.
- i) Any issues raised in representations have been addressed, and;

a) Principle of the Proposal

Policy Hou 1 of the adopted Edinburgh Local Development (LDP) states that with respect to housing development, priority will be given to the delivery of the housing land supply on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The site is identified as being within the urban area in the LDP. The proposal therefore could be considered acceptable in principle provided it is compatible with other policies in the plan.

b) Character and Appearance of the Surrounding Area

LDP Policy Des 1 states that planning permission will not be granted for poor quality or inappropriate design or for proposals which would be damaging to the character or appearance of the area around it. Policy Des 4 states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape and impact on existing views.

The application site forms an established and defined landscape strip which provides a clear visual separation between the roundabout and the residential properties located directly to the north east. The site combines with the other established landscape strips surrounding the roundabout which also provide a clear degree of separation between the road and residential/commercial buildings. The planned separation between the busy thoroughfare of South Gyle Broadway and the buildings which surround it is an important characteristic of the area and is important in terms of visual amenity.

The proposal would result in a notable intrusion into the landscape strip in the form of a new house. The proposed house would weaken the sense of separation which exists between the South Gyle Broadway and the surrounding buildings, resulting in a visually incongruous and highly prominent development which would have a detrimental impact on the character and appearance of the surrounding area.

The proposal would be damaging to the character and appearance of the surrounding area and the wider townscape and landscape. The proposal is contrary to LDP policies Des 1 and Des 4.

c) Creation of a Satisfactory Residential Environment

LDP policy Des 5 states that planning permission will be granted for development where it is demonstrated that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The western elevation of the respective house is located less than 6 metres from Gogarloch Road. This would result in the windows of any habitable rooms at the side of the house being sited in very close proximity to a significant source of traffic noise to the detriment of the amenity of prospective residents.

The proposed layout will necessitate the majority of any private garden space to be provided at the side of the proposed house instead of the rear. This would result in the formation of private garden space which would not benefit from the levels of privacy afforded to other residents in the surrounding area, again to the detriment of prospective resident's future amenity.

The proposal would not result in the creation of a satisfactory living environment and is contrary to LDP policy Des 5.

d) Impact of the amenity of Neighbouring Residents

The final dimensions of the proposed house is not detailed on the submitted documents for this application and as such it is not possible to fully and accurately assess the impact of the proposal on the amenity of neighbouring residents in respect of overshadowing or loss of daylight in the context of this application. Detailed design matters and the scale and form of the house would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

e) Parking, Road Safety and Maintenance

LDP policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with the levels set out in Council guidance.

The proposed parking area within the southern boundary of the application site is acceptable in terms of size, form and design. Two parking bays lie to the north of this element of the proposal and therefore would be congruous to this characteristic. This element of the proposal would not have a detrimental impact upon the application site or the surrounding area.

Transport was consulted on the proposal and raised an objection due to the fact that the proposal involves development on a section of land which is adopted for maintenance purposes by the Council as a public road under the Roads (Scotland) Act 1984. The proposal therefore has the potential to impede the ability of the Roads Authority to undertake its statutory requirements as outlined under the Roads (Scotland) Act 1984.

The proposal does not raise any identifiable issues at this stage in respect of parking and road safety and therefore complies with Tra 2. However, the proposal does raise issues in respect of road maintenance.

f) Flood Prevention

LDP policy Env 21 states that planning permission will not be granted for development which would increase a flood risk or be at risk of flooding itself.

The Flood Prevention team was consulted on the proposal and raised an objection due to the fact that the proposal would be at risk from fluvial flooding and that a Flood Risk Assessment would be required. In addition, a Surface Water Management Plan should also be provided.

The proposal raises issues in respect of flood prevention.

g) Removal of Trees

LDP Policy Env 12 states that development will not be permitted if likely to have a damaging impact on a tree or woodland worthy of retention unless necessary for good arboricultural reasons.

The proposal would result in the removal of several mature trees which are important in contributing to the character and amenity of the surrounding area. There is no arboricultural reason which would justify the removal of these trees and the proposal is contrary to policy Env 12.

h) Equalities and Human Rights

The proposal has been assessed and raises no issues in respect of equalities and human rights.

i) Nine comments were received from members of the public:

Material Representations -

Air pollution concerns; the proposal would not have an unacceptable impact in relation to air pollution by virtue of the nature of the proposal.

Drainage concerns; the proposal is for planning permission in principle, a drainage scheme would be provided within a full application.

Views will be impacted upon; The direct views from existing residential dwellings would not be adversely impacted upon by virtue of the

Flood concerns; a Flood Risk Assessment was not provided and therefore could not be assessed. In addition, the Flood Prevention Team provided consultation; This is addressed in section f).

Traffic concerns; this is addressed in section e); Transport raised no concerns in terms of traffic.

Parking concerns; this is addressed in section e); Transport raised no concerns in terms of parking.

The proposal will disrupt the character and appearance of the surrounding area; this is addressed in section a).

Privacy concerns; this is addressed in section d).

Loss of trees and green space; this is addressed in section g).

Non-Material Representation -

Property values; this is not a material consideration.

Application site is too small for the proposal; this is not a material consideration.

Concerns during construction stage; this is not a material consideration in this instance.

Anti-social behaviour; this is not a material consideration in this instance; anticipated development and/or happenings cannot be assessed by Planning.

Shrubs being destroyed; this is not a material consideration.

Future maintenance concerns; this is not a material consideration.

Safety in relation to fencing/ability to climb over fences; this is not a material consideration.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4 Env 12 and Env 21 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area, would result in the loss of trees and landscaping worthy of retention, would not create a satisfactory residential environment and raises issues in respect of road maintenance and flood prevention.

Risk, Policy, compliance and governance impact

4.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

5.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Nine comments were received from members of the public.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

Statutory Development

Plan Provision Edinburgh Local Development Plan.

Date registered 11 September 2019

Drawing numbers/Scheme 01-02,
Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer
E-mail:conor.macgreevy@edinburgh.gov.uk Tel:0131 469 3743

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

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 Del 4 (Edinburgh Park/South Gyle) sets criteria for assessing developments within the boundary of Edinburgh Park/South Gyle.

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

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.

Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

Flood Assessment -

1. The online indicative SEPA flood maps show that the site is at risk of fluvial flooding, as acknowledged in the Planning Statement Report. A Flood Risk Assessment should therefore be provided, in line with the self-certification scheme - details of which can be found at the link in my signature below.
2. There are no drainage proposals for me to review. A Surface Water Management Plan should be provided in line with the self-certification scheme, details of which can be found at the link in my signature below.

Roads Authority Assessment -

The application should be refused.

Reasons:

1. The application proposing to use a substantial section of adopted road (verge) as garden/building land for the development;

Note:

- I. The section of verge involved is adopted for maintenance purposes by the Council as "Public Road" as defined in the Roads (Scotland) Act 1984. The ownership of the land underneath is therefore irrelevant;
- II. It should be noted that if planning permission is granted then a Stopping Up Order will need to be progressed;

END

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mr Scott Watson

Address: 358 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This application is causing anger amongst residents in our quiet cul-de-sac.

This is not the first application for this piece of land and quite frankly it is unsuitable for development.

1. when the development was built, more homes would have been utilised on the land by the builder if they saw fit.
2. noise pollution will increase
3. Air pollution will increase
4. trees will be destroyed - environmental issues
5. views from my property and others will be drastically altered - if I wished to look out to a town house I would have moved to a new development around the corner with Barratt homes.
6. my property value will decrease due to this horrendous application along with other residents
7. this is flood grounds
8. access is unsuitable for lorries or additional traffic
9. children play in this area and have done for many years
10. owners do not wish to look out to a busy roundabout due to a development that is unfit to happen
11. the land space is too small

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mrs Eva Borland

Address: 368 South Gyle Road, Edinburgh EH12 9DU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'm distressed that this landscaped area is now a windfall site. This site is fully developed & should not be disrupted to meet housing development targets. Please consider the original design which I bought my house based on. Please also see Decision Notice 18/00618/PPP for full details of my previous objections relating to Hou 1 & 4, Des 1 & 5, Env 1 & 21; these are all still relevant and convey my concerns. The proposed development will make a negligible contribution to the 15 year housing target and will materially impact on residents, community and the environment. This dev't will require a large amount of 20 year old tree/shrub clearance which is not good. This area looks great, acts as a noise and security buffer plus benefits the environment and brings social and health benefits. Visibility of the proposed house from Gogarloch Road will be an eyesore. Currently there are no houses that back or front on this area. To disturb this would be distasteful, unnecessary and there is no precedence for this. This site is so narrow that its highly likely it will encroach beyond the available space e.g., road, railings, pavement and lamp post. Planning statement suggests the current state of the area may offer a hiding zone for individuals involved in anti social behaviour or criminal activities and therefore an additional house significantly improves security. This suggestion is ludicrous. City of Edinburgh Council, please buy this land from the owner in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997. This landscaped area is maintained by residents and the Gogarloch Community Park Association contrary to the planning documents. Bin store area is not in line with existing area. Access to the area for vehicles is limited to one way in and one way out measuring 3m70 - large construction vehicles would hinder residential access and prevent routine rubbish, garden, recycle waste collections. The public road area outside my house is used as a turning zone for vehicles and a play area for my grandson and the local children which would be obstructed/removed. This will impact access to my garage and my general front garden area. This is a very stressful situation having lived here for 21 years.

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Ms Lorna Walker

Address: 364 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Very disappointed to go down this road again regarding building house and parking. I have been here 21 years and was led to believe that nothing would ever be built on this small plot of land with trees and shrubs. This would take away security and make us very open to roundabout. As the trees have been there 21 years I feel the drainage and mono block would be badly damaged and no mention of street light being kept. The area is maintained by residents and Gogarloch Park Association

My concern is destroying the shrubs as they are good for nature (bees butterflies and insects and have also seen a hedgehog)

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mr Andrew Lamont

Address: 356 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I strongly object to this application.Such a building would fundamentally alter the character of the area.This house would irrevocably change this and result in a permanent loss of greenbelt.There would be considerable disruption caused by construction traffic on what is a narrow road.In addition construction noise ,construction waste , damage to the existing paved road way would result.There would also be loss of parking spaces for the current residents and an increase in traffic volume.There would also be an environmental impact both during and after construction.

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Ms Elaine Nagle

Address: 362 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this planning application. Building in this area would have a significant impact on my enjoyment of my property. The privacy of my property would be disrupted, allowing access straight through from the main road which significantly changes my enjoyment of my property and its safety in my view. Building in this area would also take away the lovely green area within our cul de sac which again will stop my enjoyment of the front aspect of my home. It would also remove well used parking bays which are needed. I also object to the disruption of the building process which would cause a lot of noise, dirt and could impact access to my home.

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mrs Mary Kerr

Address: 366 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My first observation was that the 'Neighbour Notification' letter indicated a construction across from No 358 South Gyle Road whereas the application is for a dwelling about 10 metres from No 368.

I object to the planning application and my reasons are detailed below.

This part of South Gyle Road was constructed as a show village for Wimpey with gates at each end, which have now been taken away, but the brick stanchions remain. Landscaping across from the housing and the mono block road are features of this and add to the aesthetic nature of the area. Although the residences in the street are all different, they are examples of the housing you will find in this part of South Gyle and Gogarloch. Anything not on these lines would stand out. Has account been taken of the streetlight positioned at the widest part of the land earmarked for the development? It is not shown on the application but is a metre in from the verge. This light is much needed as this is a dark area at night. The streetlight on Gogarloch Road does not penetrate as far as the end of the cul de sac and will still not if a dwelling is built.

The proposal indicates that trees will need to be removed and new trees will be planted where possible. As there are trees all the way up the street it is unlikely that new planting will be possible. At present evergreen bushes provide screening from the road and this is supplemented by the trees and the beech hedging to a degree as the beech is now degrading and much of the protection which is offered is now lost. Removal of these bushes and trees for car parking will open up the area to admit noise from the roundabout and Broadway as well as making this area visible from both sides of the area which it is not at present. Residents will see the Broadway and people on the Broadway will see our street which is currently hidden. There is more and more traffic at this roundabout due to the increased building work in the nearby area already - new housing and hotels on the Broadway.

Siting of the proposed off-road parking looks like it will be accessed from the current parking area

and so would reduce the available parking for visitors and residents which can accommodate 3 cars although the drawing on the application shows only 2 cars. As the proposed dwelling is likely to have 3 bedrooms, one parking space is unlikely to be sufficient. The current residencies have off road parking for one or two cars depending on the size of dwelling with 3 bedrooms having space for 2 cars.

The conifers which are to remain are beside this parking area. Currently the trees cover the whole area from fencing to grass verge with overhang often over the road. In effect this will reduce any garden space for the dwelling and because of height of the trees will give a lot of shade to the proposed dwelling and garden area outside it. The trees are so well established, having been there for 22 years, that the roots are starting to uplift the mono blocking of the current parking area. Will the owner of the land be responsible for undoing this damage if it gets worse?

The application states that this proposed dwelling will enhance the supply of housing in the area but as hundreds of homes have just been built nearby by Persimmon and Barrett with some of similar size to this proposal is this a valid point?

There is a turning area at the bottom of the cul de sac. A concern is that the road and stanchions could be damaged during construction of any dwelling and that vehicles would have difficulty turning during construction. Removal of trees is not a quick and easy task either. The road is only just over 3 metres wide at entry increasing to about 6 metres wide. Current maintenance of the landscaping i.e. trimming of hedging and cutting of grass verge has been done by the community so that public pathways are fully usable, and the nice appearance of the area is kept. I am one of the people who cuts the grass here.

The offer of gifting the remaining land is kind but could be problematic.

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mrs Raheela Javaid

Address: 58 Gogarloch Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the following plan of building new houses in on the strip of greenland in the area.

Comments for Planning Application 19/04343/PPP

Application Summary

Application Number: 19/04343/PPP

Address: Land 24 Metres West Of 358 South Gyle Road Edinburgh

Proposal: Planning permission in principle for the erection of a single dwelling house including car parking space.

Case Officer: Conor MacGreevy

Customer Details

Name: Mr Jeff Swan

Address: 354 South Gyle Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Reasons for objection

1. Design not consistent with area - building up to very edge of road

There are no pavements in cul de sac and due to extreme narrowness of the plot the house would have to be built right up to the edge of the road. There is nowhere locally where this design feature exists. Whilst some residences are built to the edge of pavement (e.g. close to South Gyle station), the pavement still provides a buffer between the building and the road. All houses in the street have a reasonable garden buffer between the road and house dwelling.

2. Safety - maneuvering vehicles in street (bucket lorries, delivery trucks)

If a home is built right up to the edge of the road then there is risk of cars or lorries hitting it. I've seen a few lorries turn round with their wheels at the kerb and the back of vehicle overhanging the kerb into the front garden. Larger bucket lorries and delivery trucks rely on the space at the end of the cul de sac for turning. We also use the end of the cul de sac for turning, particularly my son who is currently learning to drive. For any driver touching the kerb with tyres can happen reasonably frequently so a buffer between kerb and dwelling is important.

3. Safety - new resident would be practically opening their front doors onto street

This feels inherently risky for drivers as well as potential home dwellers, where a resident could potentially open their door and be directly on the road. Would they need to look out their window to check there was no car passing? Acknowledge one of the designs suggests a small front step

area, but there are no measurements on this diagram and given the space is extremely narrow space for a front step seems optimistic.

4. Safety - current railing between vegetation and main road

Its not clear from the proposal what is happening with the current railing. I can only assume this would have to be removed to lay foundations. I'm concerned that it will be become easier to access the street via hedges or gardens than it is now. I note the designer proposes there is currently a risk that intruders use the bushes for cover, but I believe the current railings provide mitigation against this and that the new design may weaken this protection.

MEMORANDUM

PLACE

To: Conor MacGreevy

Our Ref: T/TP/DC/41778/CB

Your Ref: 19/04343/PPP

Date: 9th October 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 19/04343/PPP

FOR: PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF A SINGLE DWELLING HOUSE INCLUDING CAR PARKING SPACE.

AT: LAND 24 METRES WEST OF 358, SOUTH GYLE ROAD, EDINBURGH

ROADS AUTHORITY ISSUES

The application should be refused.

Reasons:

1. The application proposing to use a substantial section of adopted road (verge) as garden/building land for the development;

Note:

- I. The section of verge involved is adopted for maintenance purposes by the Council as “Public Road” as defined in the Roads (Scotland) Act 1984. The ownership of the land underneath is therefore irrelevant;
- II. It should be noted that if planning permission is granted then a Stopping Up Order will need to be progressed;

Cameron Baillie

Tel: 2-3562

Ack 10/10
AL

C MacG

Dane Arnold and Laura Benson; Owners of 360, South Gyle Road, Edinburgh, EH12 9DU

In regards to application number 19/04343/PPP

Dear Sir/ Madddam,

We are writing to provide feedback to the above application.

We were both first time buyers in April 2019 after finally finding our forever home, we are wishing to start a family and felt that this neighbourhood would provide the safe, secure and private setting to raise a family in.

We are both very concerned after receiving the application request. If the application to build was accepted this would impact our decision to remain here and feel that this would also impact the value of our property.

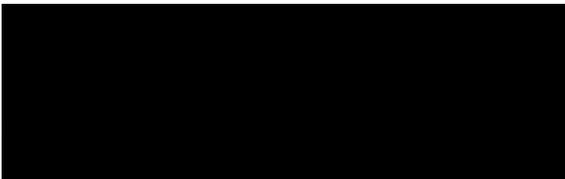
After viewing the proposed plan, it would appear that the majority of the greenery and trees surrounding the neighbourhood would be cut down. This in turn creates a lot of environmental concerns due to disturbing nature and its habitat. It would also need to be taken into consideration that flooding would become an issue for residents and drivers whom use the main road.

Furthermore, we would no longer benefit from any privacy from the busy main road, that we are currently provided with, and we would most defiantly be exposed to the noise from the main road, as the greenery and trees help block the noise out.

We are both of the view that if this request was accepted this would destroy a lovely, quiet, safe and private neighbourhood all of which we feel in love with and contributed to us buying our first home.

As highlighted above we are not in agreement with the application request and would like you to consider our feedback carefully. If you require any further information or wish to speak to us direct, please do not hesitate.

Yours Sincerely,


Dane Arnold and Laura Benson

Building Standards

08 OCT 2019

Planning &

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: planning.systems@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100230464-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Gain Planning Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	
Last Name: *	MacLeod	Building Number:	122
Telephone Number: *		Address 1 (Street): *	Scott Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	United Kingdom
		Postcode: *	TD1 1DX
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Miss"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Studio One"/>
First Name: *	<input type="text" value="Agnieszka"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text" value="Seroczynska1"/>	Address 1 (Street): *	<input type="text" value="Gilmore Park"/>
Company/Organisation	<input type="text" value="c/o MAA Architects"/>	Address 2:	<input type="text" value="Castle Mills"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH3 9FP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672156"/>	Easting	<input type="text" value="318473"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Planning permission in principle for the erection of a single dwelling house including car parking space.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The applicant is of the view that the development was acceptable and should have been approved. Full details are provided within the appeal statement submitted.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

The appeal statement, the previous planning submission including form, drawings and planning statement, the report of handling and the decision notice.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/04343/PPP

What date was the application submitted to the planning authority? *

11/09/2019

What date was the decision issued by the planning authority? *

05/11/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

It is important to understand the setting and how the proposal will sit comfortably in the existing urban layout within the cul-de-sac in particular, but the Gogarloch estate in general. Also the relationship to South Gyle Broadway, and how important landscaping will be retained.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Peter MacLeod

Declaration Date: 03/02/2020

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: planning.systems@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100179815-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Planning permission in principle for the erection of a single dwellinghouse including car parking space

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Gain Planning Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	
Last Name: *	MacLeod	Building Number:	122
Telephone Number: *		Address 1 (Street): *	Scott Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	United Kingdom
		Postcode: *	TD1 1DX
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Castle Mills Studio 1
First Name: *	Agnieszka	Building Number:	
Last Name: *	Seroczynska	Address 1 (Street): *	2 Gilmore Park
Company/Organisation	c/o MAArchitects	Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH3 9FP
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

672155

Easting

318471

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

450.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

No use. It is an overgrown landscaped area.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Peter MacLeod

On behalf of: Ms Agnieszka Seroczynska

Date: 11/09/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Supporting planning statement

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Peter MacLeod

Declaration Date: 11/09/2019

Payment Details

Online payment: 4715681993864640

Payment date: 11/09/2019 11:56:00

Created: 11/09/2019 11:56

Proposal Details

Proposal Name	100230464
Proposal Description	Appeal statement to local review body for refusal of planning permission in principle, 19/04343/PPP, for The erection of a single dwelling house including car parking space
Address	
Local Authority	City of Edinburgh Council
Application Online Reference	100230464-001

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

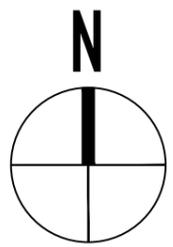
Attachment Details

Notice of Review	System	A4
Gogarloch Road LRB appeal statement	Attached	A4
19_04343_PPP-APPLICATION_FORM	Attached	A4
95-OPA-01-Location Plan	Attached	A4
95-OPA-02-Proposed indicative layout	Attached	A2
Supporting planning statement 11 Sept	Attached	A4
19_04343_PPP-HANDLING_REPORT	Attached	A4
19_04343_PPP-DECISION_NOTICE	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

LOCATION PLAN
SCALE 1:1250



SITE PLAN
SCALE 1:500



LEGEND:

-  SITE BOUNDARY
-  COMMUNAL GARDEN BOUNDARY
-  EXISTING TREES
-  PROPOSED TREES

MAA	
Agent:	MAArchitects Studio 1, Castle Mills 2 Gilmore Park Edinburgh EH3 9FP www.maarchitects.co.uk
Project:	LAND BETWEEN GOGARLOCH ROAD AND SOUTH GYLE ROAD EDINBURGH
Client:	AGNIESZKA SEROCZYNSKA
Drawing Title:	Location and site plan
scale: as indicated @ A3	dwg nr: 95-OPA-01
August 2019	
Outline Planning Application	

SITE PLAN
SCALE 1:200

GOGARLOCH R

368

private garage

bin store

public adopted road

South Gyle Road

pavement

patio - permeable paving

blank wall

entrance

366

New hedge to match the existing

Existing conifer trees to remain

parking bays to remain

South Gyle Road

Existing hedge to remain and to be supplemented with new where needed to create natural screen

driveway - access to do not abstract existing parking bays

Private garden to be enclosed by new landscaping - existing greenery to be retained where possible

pavement

proposed house

368

366

South Gyle Road

sketch nts

LEGEND:

-  SITE BOUNDARY
-  COMMUNAL GARDEN BOUNDARY
-  EXISTING TREES
-  PROPOSED TREES
-  PERMEABLE PAVING

Garden around roundabout to remain as a communal space - subject to planning permission

South Gyle Road

MAA	
Agent:	MAArchitects Studio 1, Castle Mills 2 Gilmore Park Edinburgh EH3 9FP www.maarchitects.co.uk
Project:	LAND BETWEEN GOGARLOCH ROAD AND SOUTH GYLE ROAD EDINBURGH
Client:	AGNIESZKA SEROCZYNSKA
Drawing Title:	Proposed indicative site layout
Scale:	as indicated @ A3
Date:	August 2019
Outline Planning Application	

dwg nr: 95-OPA-02

APPEAL STATEMENT TO LOCAL REVIEW BODY FOR REFUSAL OF
PLANNING PERMISSION IN PRINCIPLE, 19/04343/PPP,
FOR
THE ERECTION OF A SINGLE DWELLING HOUSE INCLUDING CAR
PARKING SPACE
AT
LAND 24 METRES WEST OF 358 SOUTH GYLE ROAD EDINBURGH



03 FEBRUARY 2020

Prepared for
Agnieszka Seroczynska

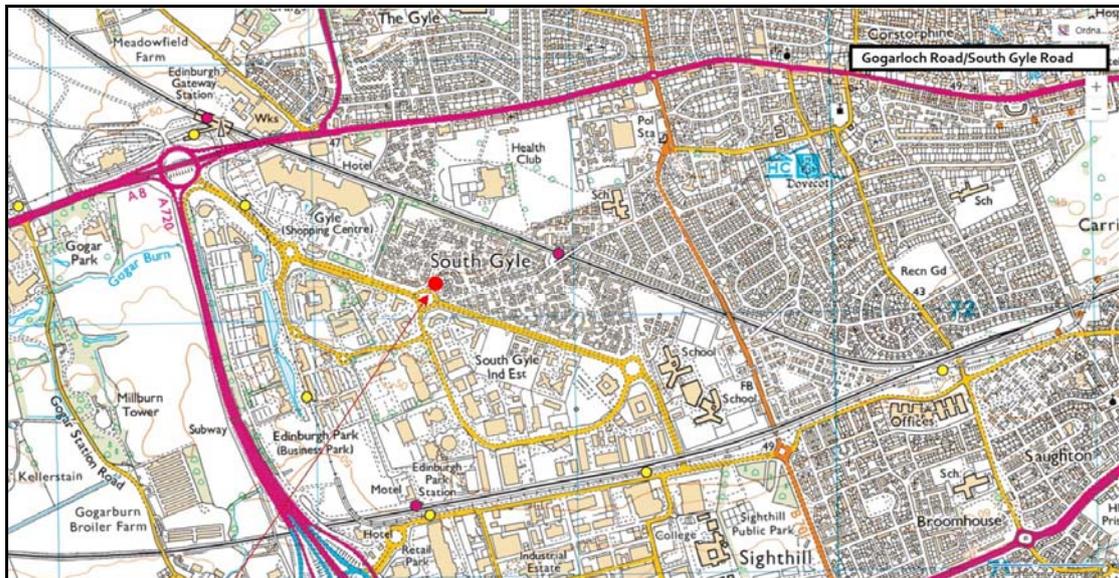
by

Peter MacLeod, BSc. MSc. MRTPI
122 Scott Street
Galashiels
Selkirkshire
TD1 1DX

pkmacleod@gainplanningservices.co.uk

Introduction

The site is a narrow plot of land located between Gogarloch Road and South Gyle Road. The site is vegetated with trees, a beech hedge, shrubs and grass. The site area extends 450 square metres. The applicant also owns the southern area (around 575 square metres). It sits within the South Gyle Residential estate, bordered by the Edinburgh to Fife railway line to its north and by South Gyle Broadway to the south. To the west is The Gyle shopping centre and to the east is the campus of Forrester and St Augustine's RC High Schools. To the south of the Broadway is the South Gyle Industrial Estate.



OS map to identify the site location



A bird's eye view of the site viewed from the east

The site is bounded to the west by a public footpath, associated with Gogarloch Road, and is enclosed on this side by an iron railing and a hedge. There is presently no maintenance agreement for the upkeep of this ground. There are detached and terraced houses located immediately to the east of the site (352 to 366 South Gyle Road), and the north (368).

The width of the site varies from 6.5 metres to 12 metres. Access is available from South Gyle Road which is an adopted road. No access from Gogarloch Road would be permitted, or needed.



The location plan (ownership in blue)

The Refusal

The application, for a single dwellinghouse in outline, was refused on 5 November 2019 for the following reason:-

“The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4 Env 12 and Env 21 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area, would result in the loss of trees and landscaping worthy of retention, would not create a satisfactory residential environment and raises issues in respect of road maintenance and flood prevention”.

This was supplemented with the following summary statement:-

“The proposal is not acceptable as it would result in the introduction of an incongruous development into an established landscaping strip and would have an adverse impact on the character and appearance of the surrounding area. The proposal would result in the loss of trees and landscaping worthy of retention, would not result in the creation of a satisfactory residential environment and raises issues in respect of road maintenance. In addition, it has not been satisfactorily demonstrated that the proposal will not be at risk of flooding or will not increase the flood risk to the surrounding area. The proposal is contrary to policies Hou 1, Hou 4, Des 1, Des 4, Des 5, Env 12 and Env 21 of the adopted Edinburgh Local Development Plan”.

Case in Support of Approval

The main issues to consider are;-

- A. the relative importance of the existing landscaped area and to its future role in providing a buffer to the nearby houses;
- B. the likely impact of a single dwellinghouse upon the character of the area and the amenity of neighbouring residents; and
- C. the amenity of future residents.

A. The status of the existing landscaped area

It is possible that this area of ground formed the landscaping to one of the applications A/03128/90 or A/01583/92 by Wimpey Homes Holdings Ltd, however Edinburgh Council's Historic Planning Records has been unable to provide this information (a request was submitted on 4th December 2019).

In any case, the proposal should be assessed on its own merits. Had this dwelling been included by Wimpey in 1992, it is most likely that it would not have resulted in a refusal.

The critical element of the landscaping is that which separates the housing estate from South Gyle Broadway and the industrial land opposite. This part of the applicant's ownership (blue line) has now been excluded from the development and the applicant is willing to hand this area over for future protection.

B. The impact upon existing amenity and character

The dwelling house would be in keeping with nearby houses and it would form a coherent relationship with them (see following figure). There will be no unacceptable impacts upon privacy, daylighting, sunlight or outlook. The form and materials would be complimentary.



The proposed house and houses at 366 and 368 shaded to highlight relationship

With regards ELDP policy **Hou4**, it is an appropriate density of development which respects the site's characteristics and those of the surrounding area, and it will create an attractive residential environment, safeguarding the living conditions within the cul-de-sac.

There will be some loss of landscaping, but this is not unusual for new development, and it is not considered that this landscaping is so critical as to warrant refusal. There will be significant landscaping retained, and the southern area can be further landscaped and maintained indefinitely. Only the north section is actually wide enough to successfully accommodate a dwelling of traditional proportions matching local house types. The proposal will contribute towards a sense of place, and the design concept draws upon positive characteristics of the surrounding area.

C. The Amenity of Future Occupiers

Any future occupiers will be provided with good amenity. There will be no main windows to the west elevation. Gogarloch Road does not carry the same amenity issues as South Gyle Broadway. It is a housing estate road and levels and type of traffic are not such that it should give any cause for concern. Other houses abut and front onto this road to the north and west of the site.

Windows will not overlook or be overlooked by other private properties and the garden space is more than adequate within the red line boundary.

D. Other Matters

With regards to parking, the dwelling and its curtilage can readily accommodate a single off street parking space and secure cycle parking. In terms of access, this will be via South Gyle Road, which according to the list of "Public Roads in Edinburgh" is an adopted road. It is unclear as to how issues of road maintenance should prevent development as this could be resolved through subsequent detailed planning procedures.

With regards to flooding, the site is at the extreme edge of an area of medium risk. It is in the midst of a housing estate of over 200 dwellings, all of which are at similar or greater risk. It would be very simple to ensure that finished floor levels are set at an appropriate level, and again this could be resolved through subsequent detailed planning procedures. There would be no increase to the risk of flooding elsewhere by this development.

5. Conclusions

In principle it is evident that this development could be carried out in such a manner that it would have no adverse impact upon the amenity of the neighbouring residents in respect of policies **Des 1 & 4**.

The future occupiers of the dwellinghouse would be afforded good standards of accommodation and private garden space with adequate levels of daylight, amenity and privacy. Noise from Gogarloch Road would not be an issue.

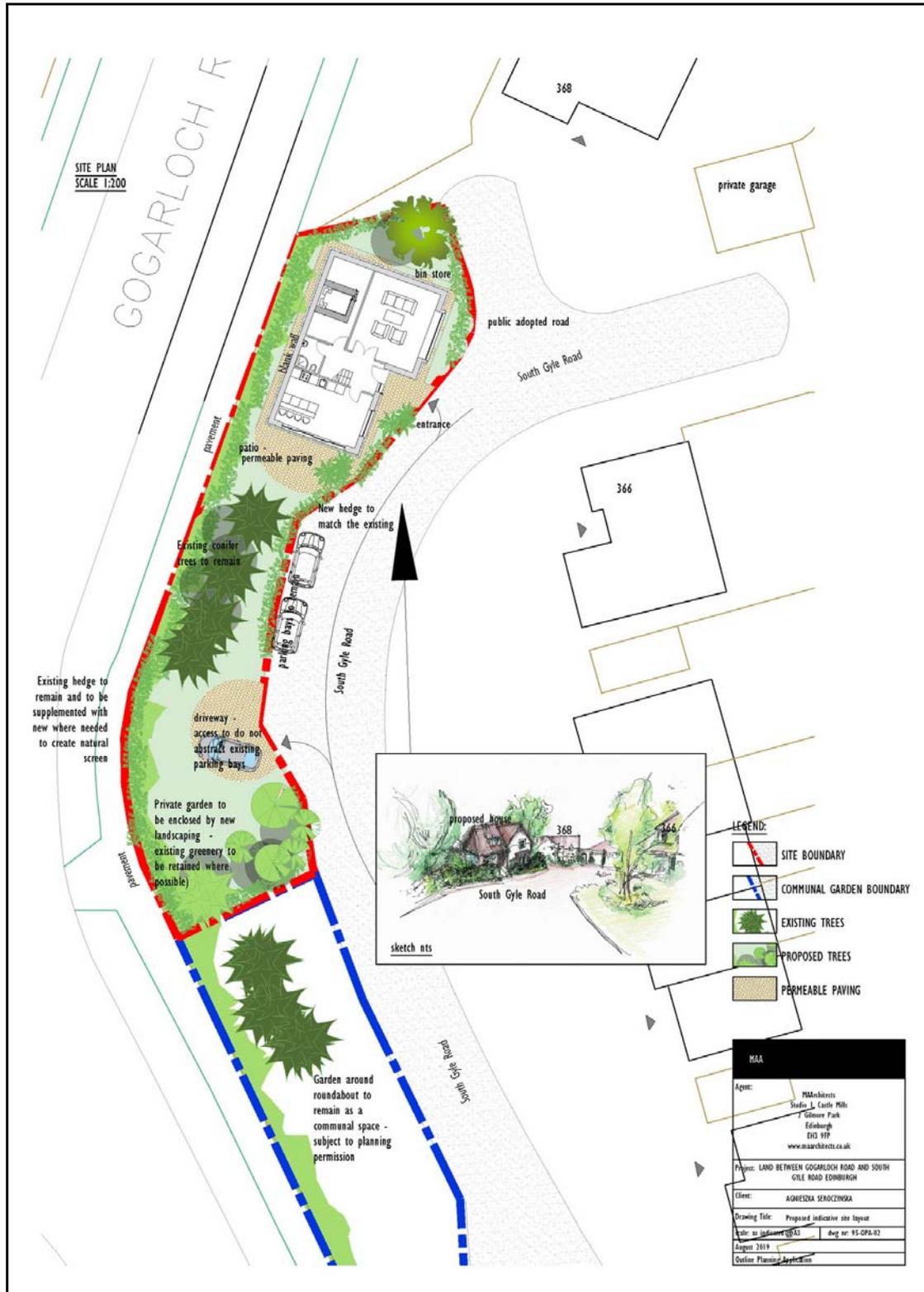
Policy **Hou1** permits development on other suitable sites in the urban area (i.e. windfall sites). The resulting density would remain in character with the area and would comply with policy **Hou4**.

With good standards of design and landscaping, the addition of a dwellinghouse in this area of ground will compliment the urban character of the area in general, and the cul-de-sac in particular, and can indeed be a positive attribute when partnered with landscaping enhancements and a change in the management of the site to the south.

The principal landscape screening to the housing estate would be retained, and enhanced in the area where it is most needed.

It is therefore concluded that subject to detailed design and other controls that can be implemented at the detailed 'AMC' stage, the proposed development would be a positive addition to the area; it would add to the sense of place, it would enhance the supply of housing within the area, an area with excellent public transport links and with accessible employment educational and retail facilities.

Appendix 1 - The Indicative Site plan



Appendix 2 - List of Policies of the Edinburgh Local Development Plan 2016 listed in the reason for refusal

Policy Des 1 Design Quality and Context - Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for

poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 4 Development Design - Impact on Setting - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

Policy Env 12 Trees - 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 good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

Policy Env 21 Flood Protection - Planning permission will not be granted for development that would:

- a) increase a flood risk or be at risk of flooding itself
- b) impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management
- c) be prejudicial to existing or planned flood defence systems.

Policy Hou 1 Housing Development

1. Priority will be given to the delivery of the housing land supply and the relevant infrastructure* as detailed in Part 1 Section 5 of the Plan including:

- a) sites allocated in this plan through tables 3 and 4 and as shown on the proposals map
- b) as part of business led mixed use proposal at Edinburgh Park/South Gyle
- c) as part of the mixed use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)
- d) on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan

2. Where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:

- a) The development will be in keeping with the character of the settlement and the local area
- b) The development will not undermine green belt objectives
- c) Any additional infrastructure required* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.
- d) The site is effective or capable of becoming effective in the relevant timeframe.

Policy Hou 4 Housing Density - The Council will seek an appropriate density of development on each site having regard to:

- a) its characteristics and those of the surrounding area
- b) the need to create an attractive residential environment and safeguard living conditions within the development
- c) the accessibility of the site includes access to public transport
- d) the need to encourage and support the provision of local facilities necessary to high quality urban living.

Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

PLANNING STATEMENT FOR THE ERECTION OF A SINGLE
DWELLINGHOUSE, IN PRINCIPLE,
AT
LAND BETWEEN GOGARLOCH ROAD AND SOUTH GYLE ROAD,
EDINBURGH



Prepared for

11 SEPTEMBER 2019

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Contents

1. Introduction	3
2. The Proposal	6
3. Constraints and Policy Considerations	8
4. Assessment	9
5. Conclusion	19
6. Appendices	20



1. Introduction

The surrounding area

The site sits within the South Gyle Residential estate, an extensive modern housing development on the west side of Edinburgh, which has evolved through the 1970's to 2000's, and now extends to over 31 hectares.

The area is bounded to the north by the Edinburgh to Fife railway line and to the south by the South Gyle Broadway dual carriageway. To the west of the area is The Gyle shopping centre with car park and to the east is the conjoined campuses of Forrester and St Augustine's RC High Schools.

To the south of South Gyle Broadway is the South Gyle Industrial Estate, and to the north of the railway line is mixed development in Gyle and Corstorphine.

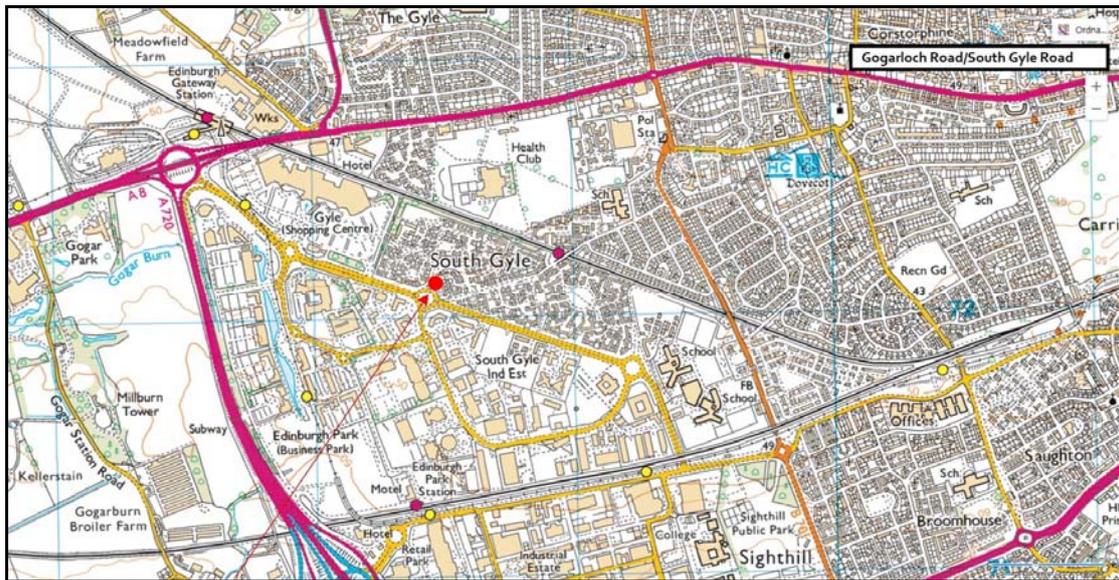


Figure 1: OS map to identify the site location

The Site

The site is a narrow plot of land located between Gogarloch Road and South Gyle Road. The site is presently vegetated with trees, an overgrown hedge, shrubs and grass. The site area extends 450 square metres. The applicant also owns the southern area (around 575 square metres).



Figure 2: The site viewed from the Gogarloch Road exit off South Gyle Broadway

The southern end of the site is landscaped with tree planting and it also contains a gas governor.

There are detached and terraced houses located immediately to the east of the site (352 to 366 South Gyle Road), and the north (368).



Figure 3: The location plan

The site is bounded to the west by a public footpath, and is enclosed on this side by an iron railing and a hedge. There is presently no maintenance agreement for the upkeep of this ground.



Figure 4: A bird's eye view from the east, with proposed house location highlighted

The width of the site varies from 6.5 metres to 12 metres. Access is available from South Gyle Road which is an adopted road. No access from Gogarloch Road would be permitted.

The applicant

The applicant is the present owner of the site. The site was purchased mid to late 2017.

Site History

Planning permission in principle was applied for in 2017. This proposed up to 4 dwellings (indicative plans show three).

Reference 18/00618/PPP
Validated 09 Feb 2018
Proposal Redevelopment of area of landscaping into small residential development comprising detached houses.
Decision Refused, Decision Date 05 Jul 2018
Appeal Decision, LRB, uphold (application refused)

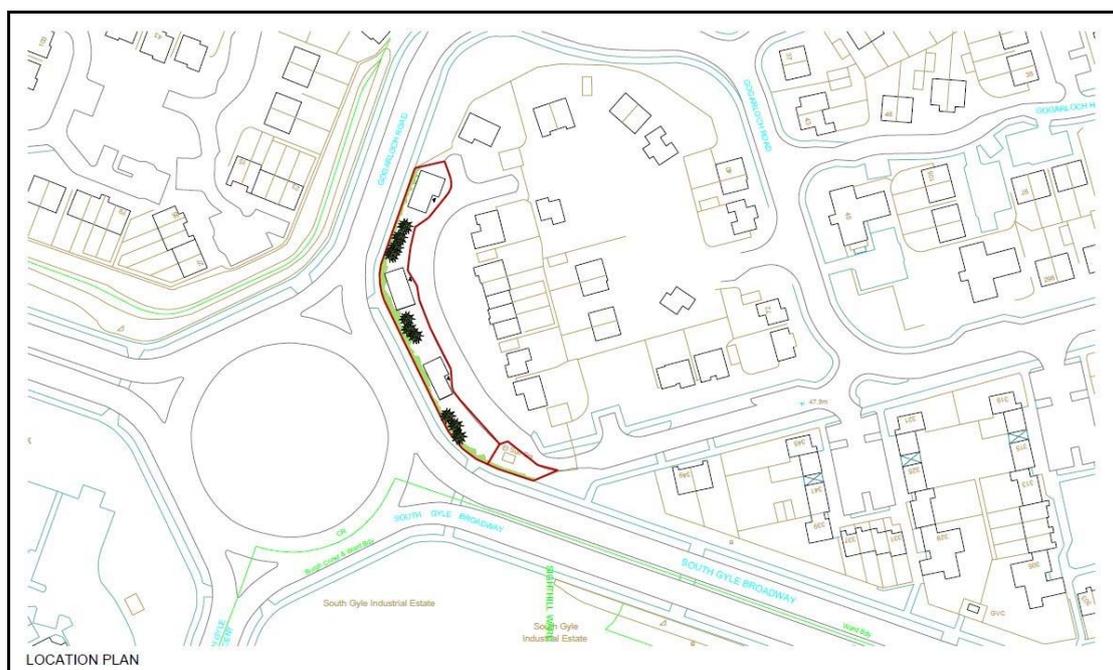


Figure 5: Previous proposal and the indicative layout for three houses

Post application consultation

Subsequent to the refusal, the applicant tried to engage with local residents with a view to discussing the details, the design and layout of a future proposal for the site. A consultation letter was sent out to all 13 neighbouring properties.

There was one single response. This mentioned that the beech hedge has been trimmed back so that the pathway was now clear, supposedly carried out by members of the local community. Regarding the erection of a 2 ½ storey house, the respondent objected to it because the suggested design and height are not in keeping with the area. A contemporary house would be a 'carbuncle'. The removal of landscaping will change our outlook, and the current trees and bushes provide much needed sound proofing from the traffic. They were keen to agree a landscape maintenance plan for the site.

The neighbours were not interested in attending any meeting with the applicant.

The letter has been attached to the appendix of this report.

2. The proposal

The application is for planning in principle for the erection of a single two storey dwellinghouse. This will be erected at the north end of the site.

The footprint and the scale of the house would be very much in keeping with the existing urban form. Existing landscaping will be retained where possible within the garden ground, particularly trees or hedges on the west boundary. The landscaping in the south site would be preserved.

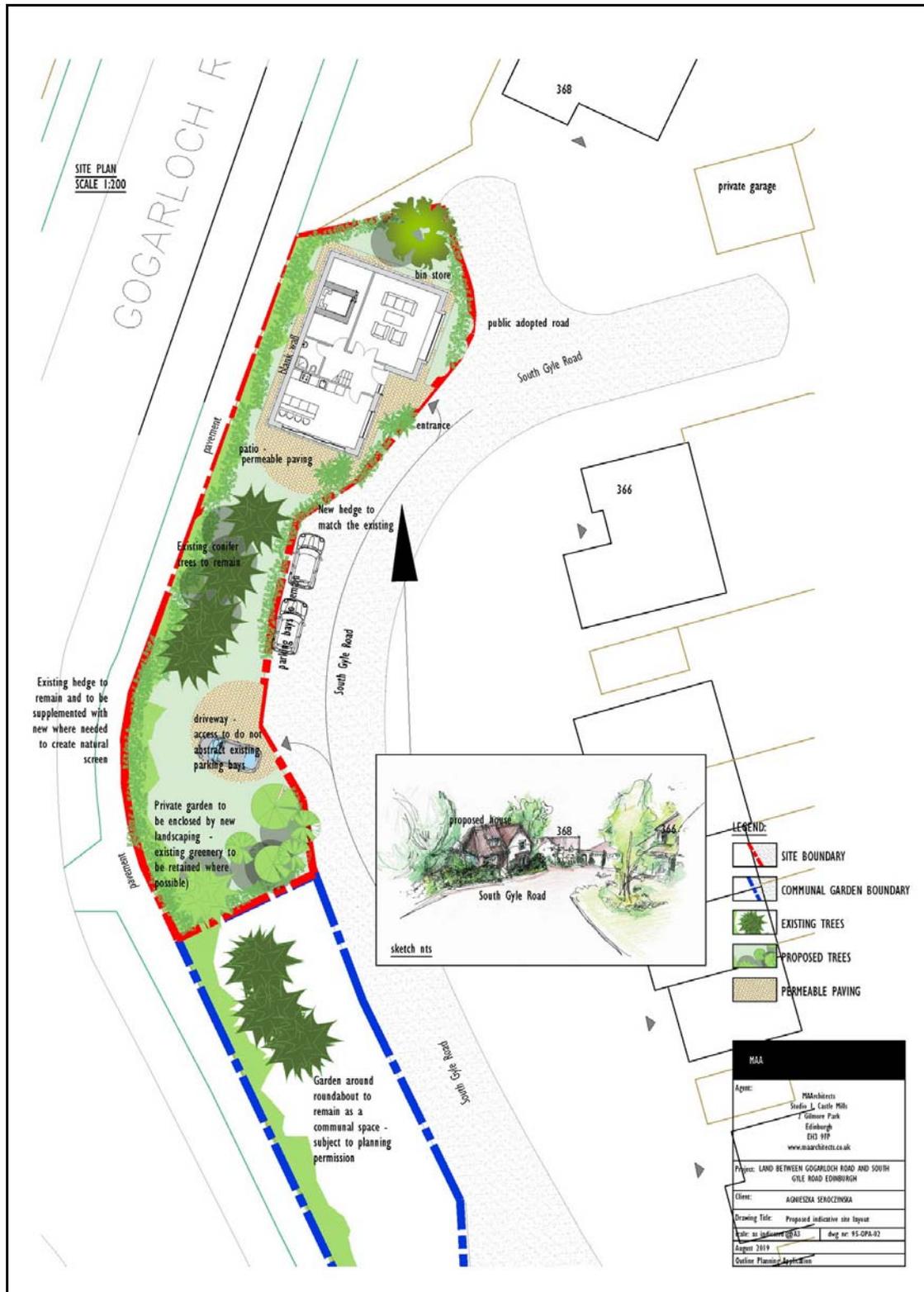


Figure 6: The site plan with an indicative house position and ground floor plan

The house would be two storeys, similar to surrounding villas. The option of a contemporary design had previously been considered, however following feedback from local residents, the planning officers and the LRB it has been decided that the design should be kept more traditional in appearance.

Parking would be accommodated within the site, and would constitute a single off road car parking space, with the access taken from the South Gyle Road cul-de-sac, which is an adopted road. If possible this space will be accommodated adjacent to the house, leaving the south area free for garden ground.

The railing and hedging to the west boundary within the red line boundary would be retained.

The south end of the applicant's ownership (that outlined in blue in figure 3) will, if planning permission is forthcoming, be gifted to the local community or trust and this can be secured by legal agreement. The landscaping here would be retained, maintained and enhanced.

3. Constraints and Policy Considerations

There are no heritage, wildlife or other planning designations covering the site.

The site is within the urban area of the City of Edinburgh.

The site contains vegetation which acts as a buffer between the housing development and the dual carriageway and roundabout (South Gyle Broadway) although the critical element of this is in the south site (blue line).

The site is at the very edge of an area of potential river flooding.

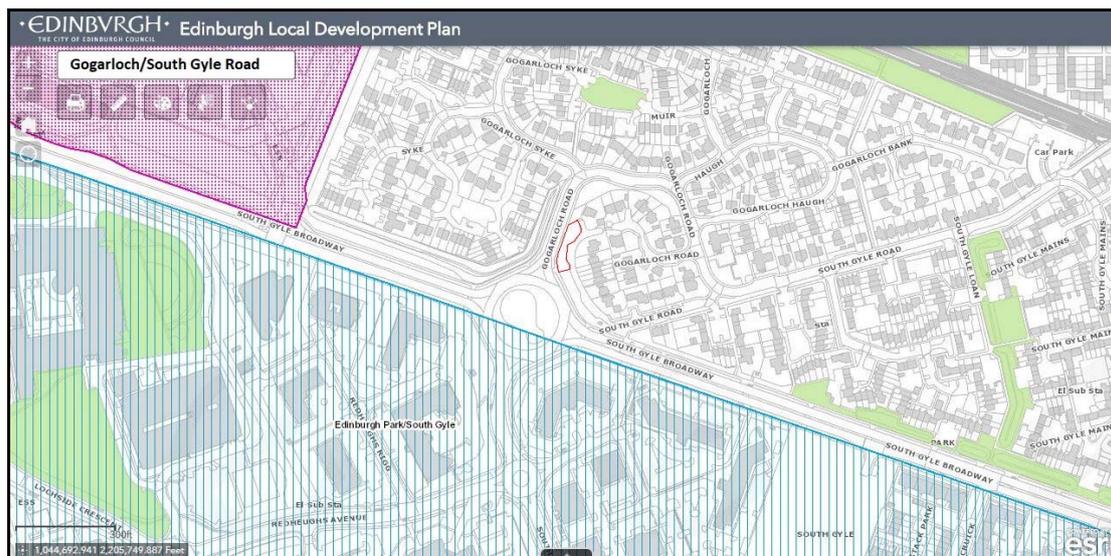


Figure 7: Extract from the Edinburgh Local development Plan interactive map (site in red)

The principle policy considerations will be with regards to existing residential amenity, urban character, landscaping and parking. In this respect, the most critical policies of the **Edinburgh Local Development Plan (ELDP)** will be policies **Des 1 to 5, Env 12, Env 21, Hou 1, Hou 4** and **Tra 2**. Also relevant will be the **Edinburgh Design Guidance**.

A list of all the relevant policies is provided in the appendix to this statement.

4. Assessment

This is an application for the erection of a single dwellinghouse in principle and the main determining issues are likely to relate to the appropriateness of the location for a house, the visual impact on the site in terms of landscape and urban form, the impact upon existing neighbours and traffic and parking.

Location and the Principle of use

The site is within the urban area of Edinburgh, as defined by the **ELDP**. It is within a 30 hectare residential estate with over 1100 properties that lies between South Gyle Broadway and the main railway line.



Figure 8: The site (red dot) in relation to surrounding uses

Policy Hou 1 advises that priority will be given to the delivery of the housing land supply on sites allocated in the **ELDP**; as part of a business led mixed use proposal at Edinburgh Park/South Gyle; as part of the mixed use regeneration proposals at Edinburgh Waterfront; or on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan. This proposal falls into the latter category, it being a windfall site within an existing residential zone within the urban area, and is acceptable in principle, subject to compliance with other detailed policies and SPG.

Whilst most housing needs are expected to be realised on land which is already committed for housing development either through current or previous development plan land allocation, or through extant planning permission consents, there is still a large contribution that can be made by the development of windfall sites or previously developed sites within the urban envelope. The proposal is acceptable in principle.

The Strategic Development Plan for Edinburgh and South East Scotland (**SesPlan**) carried out a Housing Need and Demand Assessment which identified that, in the combined period from 2009 to 2024 alone, the number of households likely to be generated from within the City of Edinburgh is around 48,490. **SesPlan Policy 5** on Housing Land makes it clear that windfall sites and redevelopment sites will contribute towards this target. The **SesPlan** goes on to advise at paragraph 113 that, consistent with SPP and with achieving sustainable development, priority in allocating new sites for housing development should be given to previously developed sites within existing built up areas.

The **Scottish Planning Policy (SPP)** similarly states that housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective during the plan period, sites with planning permission, proposed new land allocations, and a proportion through windfall development.

Under the heading of 'Placemaking', the **SPP** states that "*Planning should direct the right development to the right place*". It goes on to advise that Development Plans should promote a sustainable pattern of development appropriate to the area. It sets out a set of five guiding policy principles to achieve this, at paragraph 40. It encourages the use of land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores.

There is a clear recommendation in the **SPP** that the most should be made of sites within the built up area of towns and cities. Development should be maximised as far as possible, so long as this does not adversely impact upon existing residential amenity and urban character to an unacceptable degree.

The current proposal generally respects the policy objectives of the **SPP** by building within the existing built up area. The provision of an additional dwelling here will make a small contribution towards achieving the 15 year housing supply target for the **SesPlan**. It proposes a dwelling-house in an established residential location with good access to the resources of the area including existing service infrastructure, public transport, schools and retail facilities.

Therefore subject to impacts upon urban character and residential amenity (covered in following sections) the proposed development complies with planning policy objectives, and is acceptable in principle.

Landscape/Urban character Issues

One of the main concerns raised in the previous more extensive proposal was the potential impact upon local landscape, both for its impact upon setting and also the diminishment of its role as a visual buffer to the main road.

The site is at the edge of a large residential estate and is within an area of landscaping at the edge of one of the side roads into the estate, which lead off the main spine road, South Gyle Broadway. The reduction in the size of the site has however reduced the landscape impact by still retaining that element closest to the Broadway. Any development on the site will have to respect the setting of the residential estate and this landscape buffer which separates it from the main road (South Gyle Broadway).

The site is now legally detached from the original housing development and is no longer within the control of the residents or any factor acting on their behalf. There is no landscape management plan for the site and it is now privately owned following sale on the open property market.

In developing a house plot within this site, any trees removed would be replaced elsewhere on the site where possible, or other locally approved site. Also the development would have to somehow maintain its principal screening role to the main road and roundabout.

Policy **Des 3** encourages development to incorporate and enhance existing features considered worthy of retention on the site, within its design. There are no built or historic features, and the only positive feature of the site is the landscaping, currently not maintained. This is not historic tree planting but is relatively recent. It does however create a significant green feature and so it is proposed to retain as much of this as is possible, along the outer edge of the site. In particular, that part of the site that separates the neighbouring houses on South Gyle Road from the busy thoroughfare of South Gyle Broadway will be retained and enhanced.

The proposed dwelling-house would only affect some trees in the north section, which separates Gogarloch Road. Even then, trees and hedging on the west boundary of the red line site will be retained where possible.



Figure 9: The main traffic flows on South Gyle Broadway in relation to screening

As can be seen from the above figure, the majority of the site (the blue line) will be retained as landscaping, and will be enhanced and maintained, and this will continue to be an effective screen to the busy route along South Gyle Broadway. The south and east of the dwellinghouse plot (red line) will also retain many trees and vegetation. The impact of Gogarloch Road traffic will in any case be significantly lesser and should not raise any valid concerns.

ELDP policy **Des 4** relates to a development's impact on setting, and it seeks to ensure that development will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views.

Certainly with regards to the height and form of the proposals, the scale and proportions of buildings, the spacing between proposed and existing buildings,

their position and their materials and detailing, the development will be entirely in keeping with the setting of the site and it will have a positive influence. There will be a balance between the proposed dwelling and the dwellings at 366 and 368 South Gyle Road, as figure 10 demonstrates.

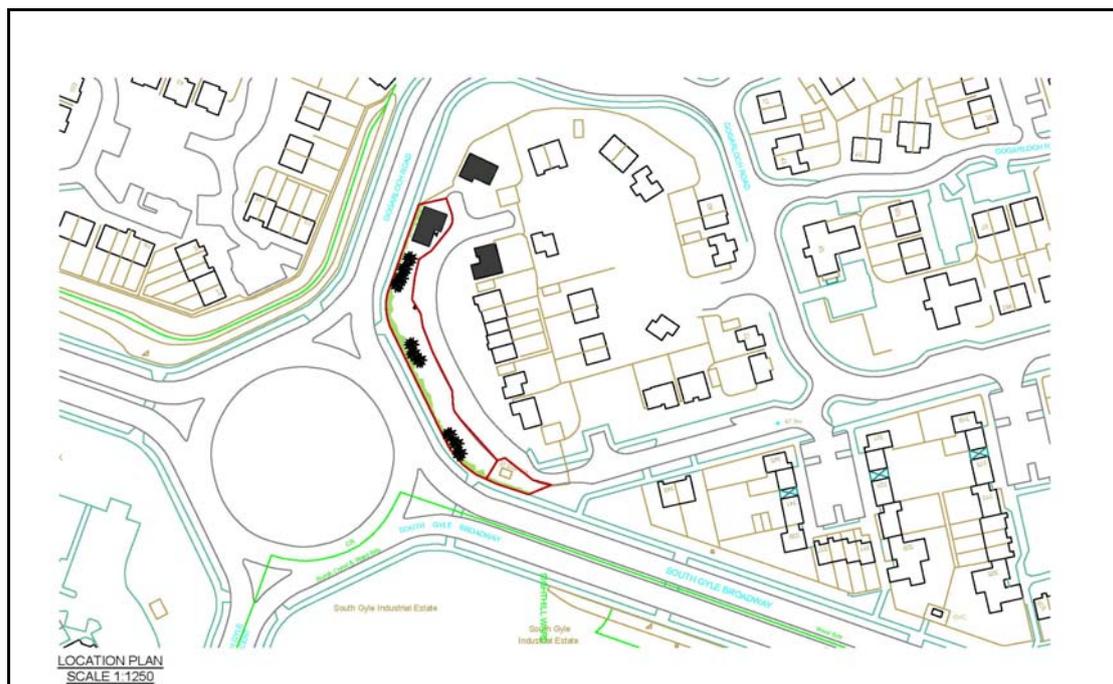


Figure 10: The proposed house and adjoining two villas

As this image shows, the indicative footprint of a dwelling here creates a strong relationship with the closest two detached villas. In no way does this arrangement appear alien or out of place, but in fact will create a very pleasant and balanced terminus to the cul-de-sac.

Clearly this is only an application in principle at present; however the way in which the applicant designs any future detailed consent will influence the positivity of any impact upon design and character of the area.

With regards to the impact upon the Gogarloch Road frontage, the site will remain alienated from this street by the railing, hedges and some trees. It will appear different to the current street view, as clearly a house will now be partially visible on this elevation. This would not however be unusual in this side street as houses front onto it for the majority of its length.

The area is residential in character and this is a low density residential proposal. The site will retain the majority of its existing landscaping, it will retain the enclosed nature of the cul-de-sac and will preserve the general character of the site.

The following images on page 13 are intended to demonstrate this and the possible impact of a dwelling on this site.

It is concluded that whilst the addition of a single dwelling here would clearly have an impact, this would not be a negative impact and it would sit quite comfortably with the character of the street.



Figure 11: The view to the north on Gogarloch Road



Figure 12: The view to the south on Gogarloch Road



Figure 13: The impact of an 'indicative' dwelling on the site viewed from Gogarloch Road

So whilst there will be a noticeable visual change, this would not be out of keeping with the character of the area, and would be an entirely appropriate form of development. The important landscape feature would be retained where it is most critical.

It is therefore concluded that in terms of the **ELDP** the proposal satisfies the requirements of policy **Des 4**.

Built and Cultural Heritage Issues

There are no built or cultural heritage designations close to the site.

Wildlife/biodiversity Issues

There are no wildlife conservation designations close to the site.

Policy Env 12 (Trees) prohibits development likely to have a damaging impact on any tree or woodland worthy of retention unless necessary for good arboricultural reasons. It further stipulates that where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

The trees in question are not protected, nor are they known to have any significant wildlife or habitat interest, however it is proposed to retain as much of the tree planting and landscaping as possible and to replant trees within the site where it is possible. Any vegetation removal would take place outwith the bird nesting season.

Site drainage and flooding

The site is at the edge of an area shown to be at medium risk from fluvial flooding. This is a very extensive area that covers a large existing area of housing and a primary school.

It is not clear what the source of this is, due to the lack of any local watercourse, however it would appear to relate to the Gogar Burn. The Gogar Burn crosses under the City By-pass, from west to east, just north of Hermiston Gait, is culverted 250 metres underground to Loch Ross, a water feature within Edinburgh Park, and then it is culverted back by around 250 metres to the west side of the City Bypass south of the Gogar Roundabout.

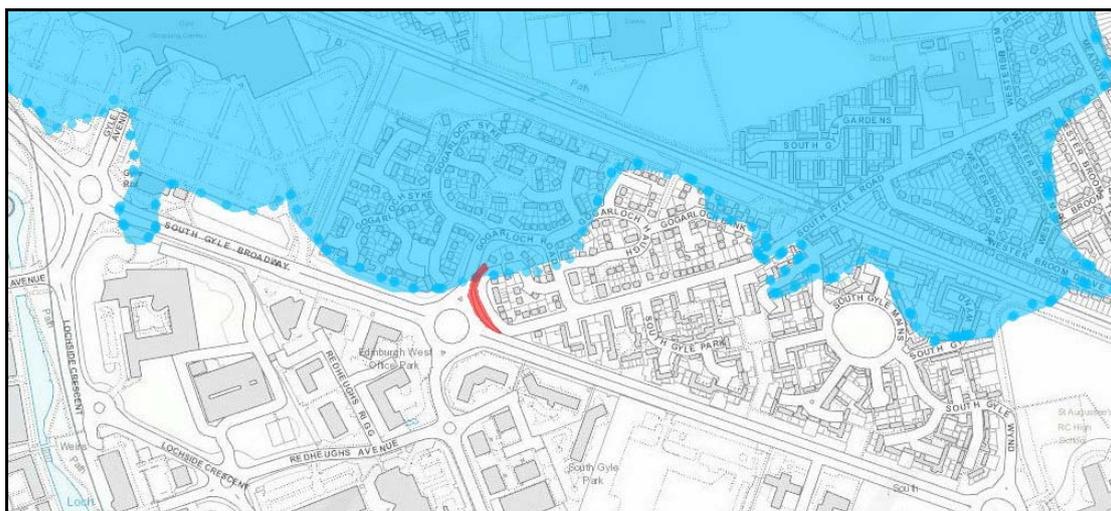


Figure 14: Medium flood risk area and site in red

The whole area sits to the south and west of an area of former marshland once known as the Gogarloch.

The development would not be subject to **unmanageable** risk from inundation.

It sits at the very limit of the medium risk zone and the site sits noticeably above the road level. The floor level can very easily be constructed above any anticipated flood levels. As a result, the proposed house will be better protected from potential flood risk than the surrounding properties, as the figure above clearly demonstrates.

The site will not raise the risk of flooding elsewhere. A small simple SUDs scheme can be incorporated into the development as part of the details required at the later stage. The proposal therefore complies with policy Env 21 (Flood Protection).

Residential Amenity

Policy **Des 5** requires that the amenity of neighbouring developments should not adversely affected and that the future occupants of the development itself are provided with acceptable levels of amenity, both in relation to noise, daylight, sunlight, privacy or immediate outlook.

It also seeks to promote community security by providing active frontages to important thoroughfares and designing for natural surveillance over all footpaths and open areas.

The **Edinburgh Design Guidance SPG** provides extended advice on issues relating to amenity. It states that developers should “*Design the building form and windows of new development to ensure that the amenity of neighbouring developments is not adversely affected and that future occupiers have reasonable levels of amenity in relation to: daylight; sunlight; and privacy and immediate outlook*”.

The proposed house will be designed and orientated such that there will be no adverse impact upon existing levels of privacy, daylight and sunlight. The position of the footprint of the proposed house can be seen to be suitably distant that it will not impact upon daylight or sunlight to neighbouring gardens or existing windows.

With regards to window positioning, clearly this will be detailed at the next stage, but it will be a relatively simple exercise to ensure that windows do not overlook gardens or other habitable rooms. As the principle fenestrated elevations will be to the south and east, the window that requires to be most carefully considered is the first floor bedroom window of the house at 366.

Once the detailed application is submitted the positioning and style of the windows can be finalised. Also, the exact dimensions form and layout of the buildings can be tailored to ensure that there is no impact upon privacy. The layout does however clearly show that the distances are suitable and can comply with the **Design Guidance** manual.

With regards to outlook, the development is sufficiently far from existing habitable room windows that it would have no impact upon outlook. Again, this is a matter that can be given greater attention at the detailed application stage. The only affected house is that at 366, and it has one upper floor window that will require attention in terms of maintaining acceptable levels of privacy (see figure 15 below). The indicative plan shows a distance of 17.2 metres with a noticeable offset from directly opposing. The upper floor

windows might be set back further and it will be a simple task to ensure full compliance. Number 366 has a blank north gable.

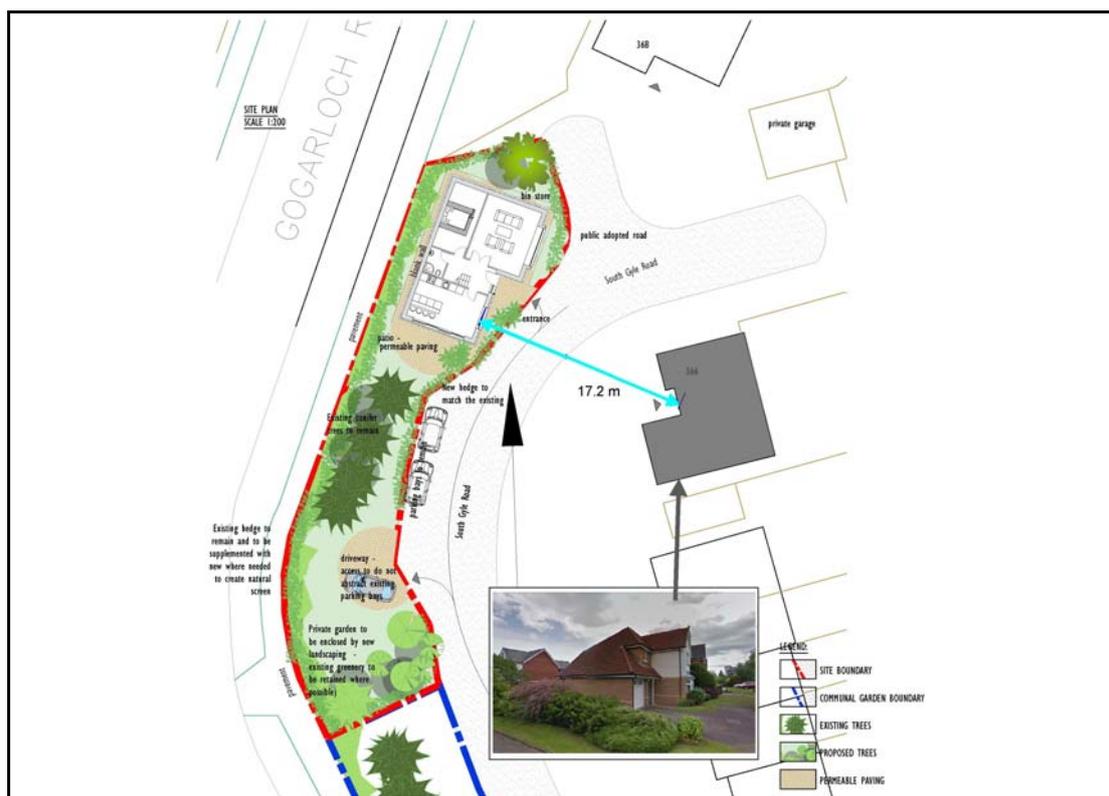


Figure 15: Distances to existing private dwellings (indicative layout), notably to 366

Any upper floor windows further north on the east elevation would face into the road hammerhead, and the blank gable of number 366, and this will not raise any issues.

The elevation to the north will have no windows.

There may be small secondary windows to the west elevation (Gogarloch Road) or windows to bathrooms/WCs.

Other windows will be south facing, or east facing at ground floor, which will not be an issue.

With regards to daylighting, the closest distance between the edge of the site and any elevation of a neighbouring house is 10.5 metres (366 South Gyle Road). As it will only be a two storey building, there will be no impact upon the daylighting to neighbouring houses.

Likewise, with regards to sunlight to gardens, the site would only affect front gardens and would be sufficiently distant as to not lead to any unacceptable impact in any case. The greatest impact would be to the north. The edge of the front garden of 368 is 8.3 metres from the indicative north elevation of the house. This is well within acceptable limits for a two storey house which will be up to 8 metres at ridge height, maximum.

With regards to community safety, at present the area of landscaping has a slightly negative impact by providing potential cover for any person(s) involved in anti-social or criminal activities. The presence of a dwelling here and the

maintenance of the remainder of the landscaped area to the south would be a significant improvement for local residential amenity and security.

Again, these matters can all be given greater attention when an application for matters specified in conditions is submitted.

It is concluded that in principle, the development can be carried out without any harm to the residential amenity of nearby occupants, and that it can fully comply with ELDP policy **Des 5** and the **Edinburgh Design Guidance**.

Traffic, Parking and Access

One issue that appeared to cause some debate with regards to the original application was vehicle access. The site is located between Gogarloch Road and South Gyle Road. Access will be from South Gyle Road, on the east side of the site. This is an adopted public road (see figure 18), and it is a cul-de-sac, terminating just north east of the house plot.

The house will have a maximum of one off street car parking space, in accordance with the Council's maximum parking standards adopted under the revised Design Guidance manual. Cycle parking can be accommodated within the garden area.

There is excellent access to public transport. South Gyle railway station is 600 metres (7 minutes walk) to the north east of the site, and Edinburgh Park Central Tram stop is 1.0km (13 minutes walk) to the south west (see figure 16 below). Edinburgh Park railway station and tram stop is a little further south at 1.3km (15 minutes walk), but still well within reach and providing far more extensive travel options. There are bus stops to either side of South Gyle Broadway, around 150 metres to the east of the southern end of the site, and there are very regular services from here (figure 17 below).

The following figure demonstrates that the site is well placed for local facilities such as shopping (The Gyle), primary schools (Gylemuir) and secondary schools (Forrester High School and St Augustine's RC High School).

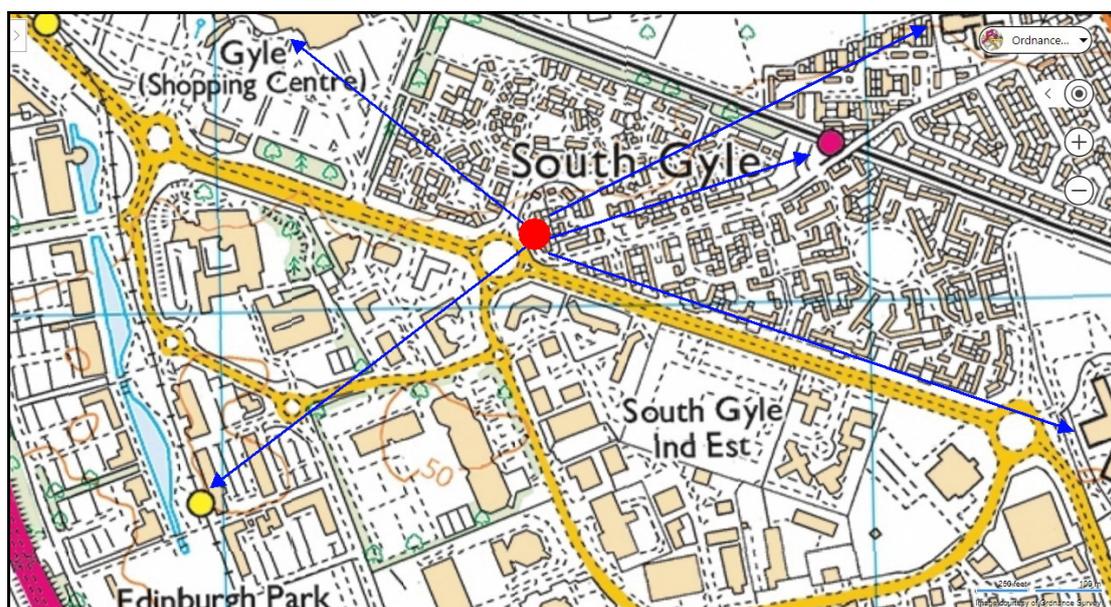


Figure 16: The site's location in relation to tram, train, shops and primary/secondary education

The site is also close to numerous employment sites within the Gyle and Edinburgh Park areas (see figure 8).

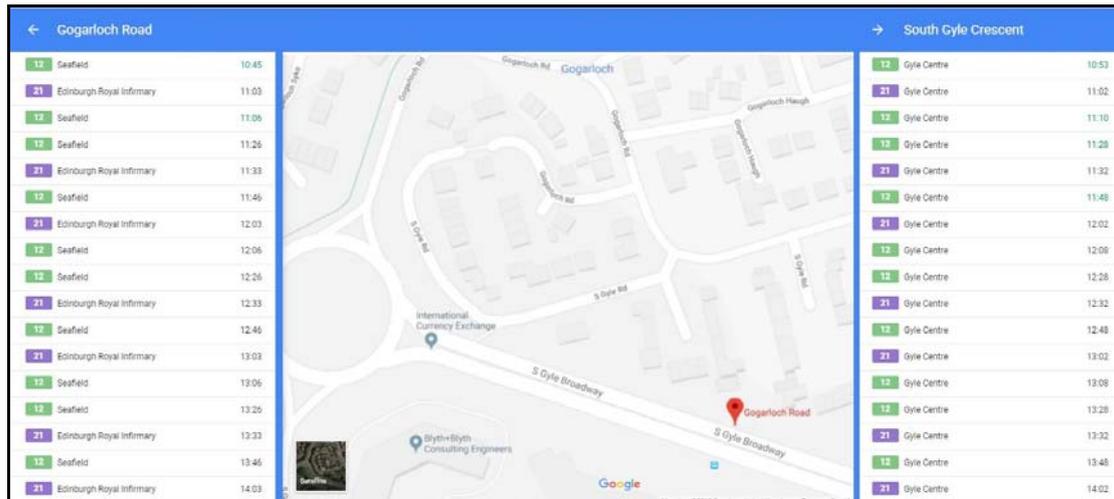


Figure 17: Nearby bus stops and very regular departure times (weekday a.m.)

List of Public Roads In Edinburgh - South Gyle Road

Locality	South Gyle
Street Adoption Status	Adopted
Property Notice Description	SOUTH GYLE ROAD - From GOGARLOCH ROAD extending eastwards to BROOMHALL DRIVE and north then westwards - a cul-de-sac. Including the cul-de-sac and parking area at No. 241, and footpath links to SOUTH GYLE LOAN. Also 2 cul-de-sacs extending southwards into SOUTH GYLE PARK. Carriageways and adjacent footways adopted for maintenance. Excluding landscaped areas in cul de sac and private parking in SOUTH GYLE PARK.

Figure 18: Excerpt from list of Edinburgh's public roads

The proposal is therefore very well located in terms of access to local facilities and to public transport options, and it will incorporate appropriate parking standards.

In principle the development can therefore fully comply with the **Design Guidance** parking standards and policies **Tra 2** and **Tra 3** of the **ELDP**.

5. Conclusions

The critical determining issues will be the impact upon the urban and landscape character of the area and the impact upon existing neighbouring residents.

In principle it is very clear that the development could be carried out in such a manner that it would have no adverse impact upon the amenity of the neighbouring residents in respect of policy **Des 5** and the **Design Guidance** manual.

The amenity of the future occupiers of the dwellinghouse would be afforded good standards of accommodation and private garden space with adequate levels of daylight, amenity and privacy. Noise from Gogarloch Road would not be an issue.

It is also concluded that by using good standards of design and landscaping, the addition of a dwellinghouse in this area of ground would not be to the detriment of the urban character of the area in general, or to the cul-de-sac in particular, and can indeed be a positive attribute. The principal landscape screening to the housing estate would be retained, and indeed enhanced. The development would comply with policies **Des 2 to 4** of the **ELDP** and to the advice within the **Design Guidance** manual.

It is therefore concluded that subject to detailed design, the proposed development would be a positive addition to the area; it would add to the sense of place, it would enhance the supply of housing within the area, an area with excellent public transport links and with accessible employment educational and retail facilities.

6. Appendices

A - List of all relevant Policies of the Edinburgh Local Development Plan 2016

Policy Del 1 Developer Contributions and Infrastructure Delivery

1. Proposals will be required to contribute to the following infrastructure provision where relevant and necessary to mitigate* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development:
 - a) The strategic infrastructure from SDP Fig. 2, the transport proposals and safeguards from Table 9 including the existing and proposed tram network, other transport interventions as specified in Part 1 Section 5 of the Plan and to accord with Policy Tra 8. Contribution zones will apply to address cumulative impacts.
 - b) Education provision including the new school proposals from Table 5 and the potential school extensions as indicated in Part 1 Section 5 of the Plan. Contribution zones will apply to address cumulative impact.
 - c) Green space actions if required by Policy Hou 3, Env 18, 19 or 20. Contribution zones may be established where provision is relevant to more than one site.
 - d) Public realm and other pedestrian and cycle actions, where identified in the Council's public realm strategy, or as a site specific action. Contribution zones may be established where provision is relevant to more than one site.
2. Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time.

Policy Des 1 Design Quality and Context - Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 2 Co-ordinated Development - Planning permission will be granted for development which will not compromise:

- a) the effective development of adjacent land; or
- b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

Policy Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features - Planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Policy Des 4 Development Design - Impact on Setting - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

Policy Des 5 Development Design - Amenity - Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms.
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design.

Policy Env 12 Trees - 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 good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

Policy Env 16 Species Protection - Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless:

- there is an overriding public need for the development and it is demonstrated that there is no alternative
- a full survey has been carried out of the current status of the species and its use of the site
- there would be no detriment to the maintenance of the species at 'favourable conservation status'
- suitable mitigation is proposed

Policy Env 21 Flood Protection - Planning permission will not be granted for development that would:

- increase a flood risk or be at risk of flooding itself
- impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management
- be prejudicial to existing or planned flood defence systems.

Policy Hou 1 Housing Development

- Priority will be given to the delivery of the housing land supply and the relevant infrastructure* as detailed in Part 1 Section 5 of the Plan including:
 - sites allocated in this plan through tables 3 and 4 and as shown on the proposals map
 - as part of business led mixed use proposal at Edinburgh Park/South Gyle
 - as part of the mixed use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)
 - on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan
- Where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:
 - The development will be in keeping with the character of the settlement and the local area
 - The development will not undermine green belt objectives
 - Any additional infrastructure required* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.
 - The site is effective or capable of becoming effective in the relevant timeframe.

Policy Hou 2 Housing Mix - The Council will seek the provision of a mix of house types and sizes where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.

Policy Hou 3 Private Green Space in Housing Development - Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

- In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.
- For housing developments with private gardens, a contribution towards the greenspace network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site.

Policy Hou 4 Housing Density - The Council will seek an appropriate density of development on each site having regard to:

- its characteristics and those of the surrounding area
- the need to create an attractive residential environment and safeguard living conditions within the development
- the accessibility of the site includes access to public transport
- the need to encourage and support the provision of local facilities necessary to high quality urban living.

Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

Policy Tra 2 Private Car Parking - 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.

Policy Tra 3 Private Cycle Parking - Planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

B - Other relevant policies and documents

- Edinburgh Design Guidance - October 2017
- SESplan Strategic Development Plan Approved 27 June 2013
- Scottish Planning Policy, June 2014
- Creating Places: A policy statement on architecture and place for Scotland - June 2013
- Scotland's Third National Planning Framework, June 2014

[To: see recipient list at end of letter]

PLANNING PROPOSAL INFORMATION

01 November 2018

Dear neighbour,

As you are no doubt aware, our client recently submitted an outline planning application for the land to the west of 352 to 368 South Gyle Road. This was refused by the Council and turned down on appeal to the Local Review Body on 03 October 2018 (18/00618/PPP).

Our client has purchased this land unconditionally and they are now considering the best options for its future development/use.

As they are committed to the land, it is the owner's intent to progress a further planning application, this time for a single dwellinghouse, to the north section of the site, whilst retaining the remainder as landscaping. This would be a detailed planning application.



The figure above shows a rough layout, and the architect will work up detailed plans prior to submission. The current thinking is that it would be a very contemporary two-and-a-half storey house. The main criteria for the dwellinghouse is that it can provide an internal floor area of around 220 square metres, most likely over two storeys plus a developed roof space.

In order to resolve many of the concerns that were raised in representations submitted by the neighbouring proprietors/occupiers, the owner is keen to involve the local community in the new proposals and more critically what happens to the land which lies outwith the curtilage of the proposed house. They welcome comments on any concerns that neighbours may have on the erection of a single dwellinghouse on the north section of the land.

As can be seen from the above site plan, there is adequate space for a family dwelling here, whilst still retaining a very large section of the landscaping, and importantly it would retain the more critical area, i.e. that which provides a buffer between the dual carriageway and roundabout that is South Gyle Broadway. The image below shows which trees are most likely affected by the draft proposals.



The applicant would be willing to agree a maintenance plan for this area (blue outline on the aerial image at the end of this consultation letter) and to ensure that it is properly managed. This is something which is clearly lacking at present, evidenced by the unkempt nature of the planting and the overgrown beech hedge on the footpath side, which is now beginning to cause obstruction to pedestrians, and also by the fact that the land was able to be sold on the open market.

Whilst no design has been prepared just now, we have attached some random design ideas for the proposed house. Whilst we understand that you might be completely against the idea of a house in this location we would still welcome constructive feedback on the house types and what might be the more preferable design solution.

We welcome your thoughts and hope that we can arrive at a solution that accommodates the needs and aspirations of all parties. Please reply to me via email or post to the address below.

Yours faithfully



Peter Macleod (Planning Agent)

on behalf of Agnieszka Seroczynska (Owner and applicant)

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