

Development Management Sub Committee

Wednesday 25 November 2020

Application for Planning Permission 19/03525/FUL at Seven Acre Park Play Area, Stanedykehead, Edinburgh, to construct a steel framed shed to provide indoor equestrian facility (as amended).

Item number

Report number

Wards

B16 - Liberton/Gilmerton

Summary

The proposal is an acceptable use in this green belt location, and subject to enhanced planting, will not have a significant adverse impact on the special landscape area. The proposal is of an acceptable design and form, will not result in loss of neighbouring amenity or have a detrimental impact on road safety.

The proposal complies with the Edinburgh Local Development Plan and there are no material considerations which outweigh this consideration.

Links

[Policies and guidance for this application](#)

LDPP, LEN03, LEN08, LEN10, LEN11, LEN21, LDES01, LDES05, NSG, NSGCGB, HES, HESSET, HEPS,

Report

Application for Planning Permission 19/03525/FUL at Seven Acre Park Play Area, Stanedykehead, Edinburgh, to construct a steel framed shed to provide indoor equestrian facility (as amended).

Recommendations

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

Background

2.1 Site description

The application site lies to the north of Seven Acre Park and play area and comprises principally of open grassed land with an existing storage container and horse field shelter. The site is currently in use for the exercising of horses. Hedgerows and planting form boundaries to the south and north.

The former Liberton Battery Gun Emplacements, a scheduled ancient monument, lie to the north east along with Liberton Kennels. A number of category A and B listed buildings and structures lie to the east, south and west of the site at a distance of around 400 metres or more. The immediate surrounding fields are in agricultural use.

The site lies within the Green Belt and the Braids, Liberton and Mortonhall Special Landscape Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

The proposal is for a large agricultural style shed which will function as an equestrian vaulting facility. Equestrian Vaulting is a sport involving horses and gymnastics. The facility will be used by a local vaulting group.

The proposed building is 40.1m by 21.4m. It will measure 3.5 to the eaves and 5.7m to the roof apex. The building will be constructed of powder coated metal and finished in a neutral green colour 'juniper green'.

The site is accessed via an existing access off Stanedykehead, a private road. No hardstanding or additional access is proposed under the application.

Previous Scheme

The proposal has been amended to reduce the height of the building and proposed colour.

The applicant has submitted the following documents in support of the application.

- Design Statement;
- Landscape and Visual Impact Assessment and
- Planting and Maintenance Schedule.

These can be viewed on the Planning and Building Standards Portal.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of development is acceptable;
- b) the proposal would have a detrimental impact on the character and appearance of the Special Landscape Area and surrounding area;
- c) the proposal preserves the setting of listed buildings;
- d) the development design is acceptable;
- e) impact on neighbouring amenity is acceptable;
- f) there are any other material considerations and
- g) any comments have been addressed.

a) Principle of Development

LDP policy Env 10 (Development in the Green Belt and Countryside) states that development will only be permitted where it meets set criteria in addition to not detracting from the landscape quality and/or rural character of the area.

Criteria a) is applicable to the proposal. It states development will only be permitted:

For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.

The non-statutory Guidance on Development in the Countryside and Green Belt (February 2019) provides supporting information to policy Env 10. Its definition of countryside recreation includes:

uses where the proposal requires the land resource and is compatible with an agricultural or natural setting such as horse riding facilities.

The proposal is for an equestrian facility requiring land resource and its use is compatible with its setting. Landscape quality and character is assessed in part b).

b) Impact of Landscape Quality/Rural Character

LDP policy Env 11 (Special Landscape Areas) states that planning permission will not be granted for development which would have a significant adverse impact upon the special character or qualities of the Special Landscape Area.

The application sites location is within the Braids, Liberton and Mortonhall Special Landscape Area (SLA).

The 2010 review of Local Landscape Designations states that:

The scale of the SLA, its exposed hilltops, secluded glen, parkland planting, farmland and views to the wider rural landscape, offers a sense of naturalness and tranquillity in close proximity to the urban core; whether experienced from paths, trails or vehicular routes through the landscape such as Braid Hills Drive.

The area of the special landscape area surrounding the site is generally characterised by fields in agricultural use along with golf courses, a campsite and other countryside related uses. The site is separated from the nearest developed area by Stanedykehead road and the Seven Acre Park and play area. The wider landscape slopes upwards towards Braid and Blackford Hills.

The site is visible from a number of sensitive locations in long and local views. The applicant's submitted Landscape and Visual Impact Assessment assesses the impact the proposal would have on these views and considers potential mitigation.

The assessment notes that the development will be visible with a moderate to major impact from the existing play area, but that this could be mitigated by strengthening the existing hedgerow. Other views assessed include from Stanedykehead within the Liberton Fringes character area, the Braids Core Path and Wee Braids Golf Course.

These assess the development as having a moderate to minor impact on existing views. For example, glimpses or partial views of the building may be seen though these will be within the context of other countryside uses and development and are moderated through existing planting and landscape. Impacts on these views are further reduced through proposed mitigation measures.

Mitigation measures include a reduction in roof height and use of muted colours to the proposed building and additional planting and maintenance to boundaries.

Views from the scheduled monument known as the Liberton Gun Battery would experience only a slight change, with the development only partially visible and not occupying a large portion of the view.

The assessment notes that the proposal would not result in the loss of any existing features of values including trees and woodland that contribute to the landscape character. The assessment states that there would be no notable effects on landscape character or designations.

The proposal's impact on the surrounding area is acceptable in this context and would not be an inappropriate or incongruous feature. The building has now been reduced in height and impacts will be further reduced by the implementation of planting. The development will not have a significant adverse impact on the special landscape area and complies with LDP policy Env 10 and Env 11.

c) Listed Buildings and Scheduled Ancient Monument

Particularly sensitive built features in the landscape include the Liberton Battery Gun Emplacements, a Scheduled Ancient Monument, and a number of category A and B listed buildings and structures. These lie to the east, south and west of the site at a distance of around 400 metres or more

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states: -

In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

LDP policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will only be permitted if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

LDP policy Env 8 (Protection of Important Remains) states that development will not be permitted which would adversely affect a scheduled monument or the integrity of their setting.

The proposed development will have an agricultural appearance compatible with the surrounding countryside character and is located at a sufficient distance from historic assets so as not to cause an impact on their setting. As demonstrated through the Landscape and Visual Impact Assessment, section 3.3 b), the development will have only moderate or slight impact on views on the landscape as a whole.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the setting of the listed building and complies with policy Env 3 (Listed Buildings - Setting). In addition, the proposal will not affect the setting of the Scheduled Ancient Monument complies with policy Env 8 (Protection of Important Remains).

d) Development Design

LDP policy Des 1 (Development Design) states that proposals should be based on an overall design concept. Planning permission will not be granted for poor quality or inappropriate design.

The proposal is for a steel framed and clad building measuring 40.1m by 22m. Rectangular in shape with a pitched roof, the building will be simple in form. The building is designed as a standard agricultural style shed. The building will be finished in a neutral green colour to reduce its impact on its surroundings.

The proposed design is an appropriate design given its use and countryside location and complies with policy Des 1.

e) Amenity

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The neighbouring uses bordering the development include a park and agricultural fields. The nearest residential uses include 47 Stanedykehead 120 metres to the south west, Liberton Kennels 170 metres to the north (which shares a private access with the development) and properties in Netherbank approximately 200+ metres away to the south.

The proposal is for a limited purpose. Specifically, it will be used for the practicing of equestrian vaulting. Its function is to provide a covered area offering the ability to undertake activities in all weathers. The applicants have submitted a statement indicating that the intensity of the use would be small. Despite its footprint, the building is designed for use for two horses and for a small number of gymnasts to practise.

Whilst the intensity of the use cannot be controlled, the application does not include additional facilities such as parking, viewing areas or toilets which would indicate more significant use of the site. Lighting is limited to 15 internal LED lights. No external lighting is proposed.

Environmental Protection has been consulted and has not raised any objections to the proposal.

It is unlikely that the use will cause an unacceptable impact on residential amenity in terms of noise and disturbance as the scale of use will be limited.

The building would not impact on any immediate outlook, result in loss of privacy or cause loss of daylight and sunlight to the nearest residential properties.

The proposal complies with LDP policy Des 5.

f) Other Planning Considerations

Access and Road Safety

Access to the site is from a private road from Stanedykehead. No car or cycle parking is proposed and access to the site will primarily be on foot, by cycle or horse.

The Roads Authority was consulted as part of the assessment of the application and had no objections subject to informatives on provision of cycle parking

Flooding and Drainage

LDP Policy Env 21 (Flood Protection) requires that development does not result in increased flood risk on or off site. SEPA flood maps do not indicate that the site is in an area at risk of flooding, either pluvial or fluvial. There is no known risk to flooding on the site.

There will be no increase in hardstanding as a result of the development and drainage for the proposed building will be in the form of a trench/soak away. The floor of the building will have drains around the edges with a permeable hardcore floor base. The Council's flood officer has confirmed that the proposals are acceptable.

The proposal complies with LDP policy Env 21(Flood Protection).

Ecology

The site does not fall within an area protected for local or national designations. The site is currently open field land used for the exercising of horses. No trees or other natural landscape features are proposed for removal and existing and new planting is proposed.

g) Public Comments

Material Comments - Objections:

- Will encourage further loss of green belt to other uses including housing - this is addressed in 3.3 a);
- Impact on character, setting and views - this is addressed in 3.3 b);
- Character, design quality, size and colour - this is addressed in 3.3 d);
- Loss of amenity - this is addressed in 3.3 e);
- Light pollution - this is addressed in 3.3 e);
- Road safety and traffic increase - this is addressed in 3.3 f);
- Drainage and flooding impacts - this is addressed in 3.3 f);
- Impact on environment and wildlife
- Current planting insufficient screening - increased planting is proposed and this is addressed in 3.3 b);
- Inadequate visual impact assessment - the visual impact assessment has been updated as part of the assessment;

- Use does not require green belt location - suitability of green belt use addressed in 3.3 a);
- No hours of use stated - level of use assessed in 3.3e).

Non Material Comments

- No toilets and no drinking water - this is not a planning consideration;
- No means for disposal of animal waste - this is not a planning consideration;
- Plans do not include access or servicing arrangements including electricity - this is not a consideration as part of this application;
- Shed is for a small group of users and there will be no community benefit - number of users and community benefit not a material consideration for green belt use;
- Unnecessary facility - need for facility is not a material consideration;
- No indication applicant has Servitude Right of Access or will be liable for repairs - right of access and use of private road is a civil matter;
- Impact on Scottish Pathway Network/ local path network - no changes are proposed to access or path network;
- Short timeframe to make comments - timeframe for comments met statutory requirements;
- Loss of property value - this is not a material planning consideration.

Conclusion

The proposal is an acceptable use in this green belt location, and subject to enhanced planting, will not have a significant adverse impact on the special landscape area. The proposal is of an acceptable design and form, will not result in loss of neighbouring amenity or have a detrimental impact on road safety.

The proposal complies with the Edinburgh Local Development Plan and there are no material considerations which outweigh this consideration.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons: -

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The applicant should consider the provision of secure and under cover cycle parking.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application received 88 representations. This included 63 objections and 25 support comments.

Background reading/external references

- To view details of the application, go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

Edinburgh Local Development Plan

Date registered

8 August 2019

Drawing numbers/Scheme

01,02b,03b,04b,

Scheme 2

David R. Leslie

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PLACE

The City of Edinburgh Council

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Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Appendix 1

Application for Planning Permission 19/03525/FUL At Seven Acre Park Play Area, Stanedykehead, Edinburgh To construct a steel framed shed to provide indoor equestrian facility (as amended).

Consultations

Roads Authority

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should consider the provision of secure and under cover cycle parking;*
- 2. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*
- 3. The applicant should note that Stanedykehead is not a 'road' under the meaning of the Roads (Scotland) Act 1984.*

Note:

No additional parking is proposed.

Flood Officer

Given the nature of the construction, we are not concerned about this development from a flooding or drainage perspective. In this instance, a Surface Water Management Plan will not be required.

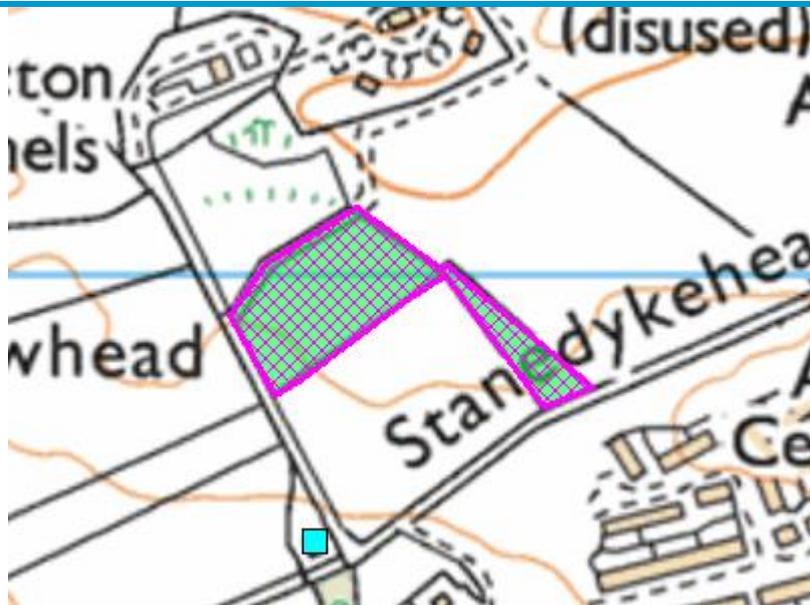
I am happy for this application to be determined with no further comment from our department.

Environmental Protection

Environmental Protection would offer no objections in relation to this proposal.

This proposal concerns the erection of a building within which equestrian activities may be practiced. It is understood that sessions will be run during daytime hours and will permit sessions to be run and the fitness of horses to be maintained undercover. Music may be used occasionally within sessions however competitions will not be run at the facility.

Location Plan



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