

Development Management Sub Committee

Wednesday 5 May 2021

**Application for Planning Permission 20/05883/FUL
at Garage 8 Metres West Of 2, Old Kirk Road, Edinburgh.
Proposal to clarify roof design of old proposed skylight
volume and chimneys (that were disseminated on roof), in
order to have only one zync regular volume, stepped back
from main facade, echo sloping roof of neighbouring
houses. Contrasting/complimentary material for flat roof
extension to be vertical metal cladding in matte metal/grey
colour to compliment roughcast and sandstone based
precast concrete.**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The proposal complies with the relevant policies in the adopted local development plan and non-statutory guidance. The proposed site has been shown to be a suitable location for a dwelling house. This proposal would not be damaging to the character and appearance of the surrounding area and wider townscape. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers. There are no material considerations which outweigh this conclusion.

Links

**Policies and guidance for
this application**

LDPP, LDES01, LDES04, LDES05, LEN21, LHOU01,
LHOU02, LHOU04, LTRA02, LTRA03, NSG,
NSGD02,

Report

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at Garage 8 Metres West Of 2, Old Kirk Road, Edinburgh.
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extension to be vertical metal cladding in matte metal/grey
colour to compliment roughcast + sandstone based precast
concrete.**

Recommendations

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

Background

2.1 Site description

The site is a vacant flat roofed garage building within a garden ground located on the southern side of Old Kirk Road. The site slopes steeply from north to south with the resultant effect that the front of the garage facing onto Old Kirk Road is single storey. The garage increases in size as it proceeds southwards and has the appearance of a two storey building when viewed from the south.

The associated garden ground extends in an L shaped configuration southwards and westwards. The site covers a total area of 190 square metres.

2.2 Site History

15 November 2000 - Planning permission refused to convert store below existing garage to form a garden flat (application reference 00/02835/FUL).

23 May 2001 - appeal against refusal of planning permission dismissed (appeal reference 01/00025/REF).

5 November 2015 - Planning permission refused for the demolition of the existing garage/workshop building and the construction of a two storey dwellinghouse. (application reference 15/04177/FUL).

23 August 2018 - Planning permission granted for the demolition of an existing lock-up storage unit and construction of a two bedroom house (as amended) (application reference 18/00984/FUL).

30 August 2020 - Planning permission granted for the demolition of an existing lock-up storage unit and the construction of a high-end and high quality two bedroom house in its place. (application reference 20/01403/FUL)

Main report

3.1 Description of the Proposal

The application is for planning permission for the erection of a bespoke modern designed three storey house. The plot is approximately 4.5 metres wide and approximately 34 metres deep. The proposed house would be approximately 18.8 metres deep and occupy the full width of the plot. The overall height of the proposed house will not exceed the neighbouring properties to the east and west of the site. The building will give the appearance of a two storey property when viewed from Kirk Road but will provide access to the lower ground floor via an external staircase. On the north (rear) elevation the building will appear as three storeys but will be stepped back 1.9 metres at the ground floor and 2.5 metres from the first floor.

The dwelling will be finished in polished concrete with sandstone inserts and zinc cladding for the north and south elevations and pebble dash render for the east and west facades. All doors and windows will be aluminium.

Accommodation consists of a bedroom, living room and WC at the lower ground floor, a kitchen/diner, study and WC at the ground floor and two bedrooms at the first floor level.

Parking will be provided via the existing driveway which is accessed from Old Kirk Road.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services:

Design Statement

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a) the principle of development at this location is acceptable;
- (b) the proposal is of an appropriate scale, form and design;
- (c) the proposal will result in a satisfactory residential environment;
- (d) the proposed use would result in any loss of amenity;
- (e) road safety, car and cycle parking has been addressed;
- (f) the proposal will have an impact in terms of flooding;
- (g) other material matters have been addressed and
- (h) public comments have been addressed.

(a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable provided the proposal is compatible with other policies in the plan.

LDP policy Hou 2 - (Housing Mix) states that the Council will seek a mix of house types and sizes where practicable to meet a range of housing needs. The surrounding area consists of largely detached, semi-detached dwellings. The proposed dwelling would provide further accommodation within the area for families and complies with LDP policy Hou 2.

Planning permission was approved for the erection of a new dwelling house on this site under planning application 20/01403/FUL. This consent is still extant. The principle of constructing a dwelling within the site is therefore established.

Overall, the proposal is also compatible with other policies in the plan and therefore the principle of housing development is acceptable.

The proposal complies with Policy Hou1.

(b) Scale Form and Design

LDP Policy Des 1 states that planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character and appearance of the area around it. LDP Policy Des 4 states that planning permission will be granted for development where it is demonstrated that it will have a positive impact upon its surroundings. In addition, policy Hou 4 states that the Council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

The surrounding area is largely characterised by one and a half storey detached and two storey semi-detached dwelling houses dating from both the pre-war and post war period. These buildings utilise a variety of different external materials including smooth render, roughcast and natural stone.

The site has an extant consent for a new bespoke dwelling on the site (application reference 20/01403/FUL). The footprint of the proposed building is the same as that approved under 20/01403/FUL with the design difference being the addition of the stepped first floor level. Whilst this will result in a marginal increase to the overall height of the building by approximately 2.3 metres it will sit in line with the ridge line of 2A Old Kirk Road to the west and below the ridge line of 2 Old Kirk Road to the east of the application site. Whilst the form of the proposed dwelling would appear notably different from that of other dwellings in the surrounding area, it is a bespoke design which utilises high quality build materials and would not represent an incongruous feature into the streetscape.

The proposal is appropriate in respect of its design, form, scale and density; and will not have a detrimental impact on the character and appearance of the surrounding area.

The proposal complies with LDP policies Des 1, Des 4 and Hou 4.

(c) Residential Environment

LDP Policy Des 5 (Development Design- Amenity) states that planning permission will be granted for development where it is demonstrated that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy and immediate outlook.

The Edinburgh Design Guidance also seeks to address the criteria of an acceptable level of amenity for future occupiers of the development.

The proposed dwelling will have large windows to its front and rear elevations at both ground floor and upper level. It would provide adequate levels of sunlight/daylight for any future occupiers. It will also provide adequate internal floorspace and a good amount of external garden ground will also be provided. It would have to comply with the building regulations in terms of adaptability and sustainability and it meets the other criteria of Des 5.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(d) Loss of Amenity to Neighbours

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 applicant has submitted a sun path analysis to assess the impact of the proposal on the neighbouring properties. This demonstrates that the increase in the height of the building will not have a material impact on the levels of sunlight/daylight received by

No 2 and No 2A. These properties have sizeable gardens which the proposal will not materially impact.

Given the topography of the site this results in the properties on Old Kirk Road sitting at an elevated position to those to the south of the site on Gordon Road.

The Edinburgh Design Guidance (EDG) states that *the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances.*

At the lower ground level the total distance between the proposed dwelling and the properties on Gordon Road is approximately 26 metres (14 metres to the applicants boundary) at the lower ground floor, 29 metres (16 metres to the applicants boundary) at the ground floor and 33 metres (19 metres to the applicants boundary) at the first floor. The footprint of the lower ground and ground floor level remain the same as that approved under 20/05883/FUL, the first floor level is broadly in keeping with the distances of the neighbouring properties on Old Kirk Road and will not have an adverse impact upon the existing levels of privacy enjoyed by neighbouring properties.

The windows at the first floor are openable but there is no door access onto the flat roof area and the applicant has confirmed that a balcony is not proposed as part of this application. Planning permission would be required if the applicant wanted to utilise this area as a balcony as safety barriers would be required to be installed.

The proposal complies with policy Des 5 and the Edinburgh Design Guidance.

(e) Traffic or Road Safety Issues

LDP policy Tra 2 states that 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.

LDP policy Tra 3 states that planning permission will be granted for development where the proposed cycle parking and storage facilities comply with the standards set out in Council guidance.

The site is identified within zone 3 of the Council's Parking Standards. The standards identify that new houses with four or more habitable rooms should not have more than two parking spaces. The proposal includes provision for one parking space which will be provided via the existing driveway and complies with the EDG parking standards. Cycle parking can be adequately provided on the site.

The proposal does not raise any issues in respect of parking and complies with policy Tra 2 and Tra 3.

g) Flooding

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

The Scottish Environmental Protection Agency (SEPA) flood maps show the area around the site has a medium risk of surface water flooding. Flood Planning were consulted as part of the assessment of the previous application for the site (20/01403/FUL) and raised no objections. A Surface Water Management Plan (SWMP) has not been submitted with this application. A condition has been applied to the consent to ensure that a SWMP is submitted for the written approval of the Council prior to works commencing on site.

(h) Public comments

Material Representations - objection

- The proposal is out of character with the street. This is addressed in section 3.3b
- The proposal is one storey higher than the previous consent. This is addressed in section 3.3b
- Accessibility to the property. This is addressed in section 3.3c
- Increased overlooking and loss of privacy. This is addressed in section 3.3d
- Increased overshadowing. This is addressed in section 3.3d
- Formation of a balcony /external terrace. This is addressed in section 3.3d

Conclusion

The proposal complies with the relevant policies in the adopted local development plan and non-statutory guidance. The proposed site has been shown to be a suitable location for a dwelling house. This proposal would not be damaging to the character and appearance of the surrounding area and wider townscape. There will be no adverse impact on the amenity of existing neighbours and a satisfactory level of amenity will be provided for the future occupiers. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. A Surface Water Management Plan shall be submitted for the written approval of the Council as Planning Authority prior to any works commencing on site. This should be prepared in line with the self-certification scheme below.

CEC Flood Planning Self-Certification Requirements and Guidance:

http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood_planning_application

Reasons: -

1. In the interest of surface water management.

Informatives :-

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Sixteen letters of objection regarding the proposal were received. A full summary of matters raised by the objectors can be found in section 3.3 (i) of the main report.

Background reading/external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan - The site is located within an Urban Area.
Date registered	31 December 2020
Drawing numbers/Scheme	01-12, Scheme 1

David Givan
 Chief Planning Officer
 PLACE
 The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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

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

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

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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