

Development Management Sub Committee

Wednesday 27 October 2021

Application for Planning Permission 21/01037/FUL At 132 Balgreen Road, Edinburgh, EH12 5XF Create 2 new dwellings

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The proposal is acceptable in this location and complies with the Local Development Plan. It is of an appropriate design, form and scale and is in keeping with the character, appearance and spatial pattern of the surrounding area. The proposal draws on the positive characteristics of the surrounding area and complies with Policies Des 1, Des 4 and Hou 4.

The proposal will not have a detrimental impact on neighbouring amenity and will provide a satisfactory living environment for future occupiers. It complies with policies Des 5, Hou 4 and Hou 3 and the Edinburgh Design Guidance. There are no parking or road safety issues and the proposal complies with policies Tra 2 - 4. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU04, LHOU03, LDES01, LDES04, LDES05, LEN21, LTRA02, LTRA03, LTRA04, LEN12, NSG, NSGD02,

Report

Application for Planning Permission 21/01037/FUL At 132 Balgreen Road, Edinburgh, EH12 5XF Create 2 new dwellings

Recommendations

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

Background

2.1 Site description

The application site is the side garden ground of number 132 Balgreen Road. The existing property is a part of a pair of semi-detached two storey dwelling houses on the corner of Balgreen Road and Glendevon Road. There is a garage and driveway on the site which mainly consists of grass.

Similar properties are found in Glendevon Road and part of Balgreen Road. There is a variety of house types ranging from bungalows to terraces and two storey flatted buildings in Balgreen Road and in the nearby area. The surrounding area is predominantly residential although there are other uses nearby such as shops, a golf course and a railway to the south.

2.2 Site History

There is no planning site history.

There is planning enforcement history:

2 September 2021 - enforcement case closed for alleged unauthorised development - land adjacent to 132 Balgreen Road being used as a commercial premises, including for the storage and disposal of commercial waste (case number 21/00415/ECOU).

Main report

3.1 Description Of The Proposal

The proposal is for the erection of two one-bedroom semi-detached houses on the side garden ground of number 132 Balgreen Road.

The existing plot for number 132 Balgreen Road will be subdivided and the new dwelling houses will be constructed on the plot consisting of the side garden ground. The existing dwelling house will retain front and rear garden ground.

The proposed building will be two storeys high with a hipped roof and garden ground to the front and rear. A bicycle and a bin store will be provided in the front gardens of both proposed dwelling houses. No on site parking is proposed.

Materials will be roughcast walls, slate roof with red ceramic hip-ridge tiles, stone surrounds to doorways and windows, timber framed windows and doors. The proposed boundary walls to the side will be brick and the rear boundary will be a timber fence.

The following supporting information has been submitted:

- Planning Statement
- Surface Water Management Proposals
- Sunlight Analysis and Statement

These are available to view on Planning and Building Standards Online Services.

Scheme 2 and previous scheme

Scheme two updates the drawings relating to existing boundary treatment and levels of proposed building.

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 housing on this site is acceptable;
- b) The proposal would have a detrimental impact on the character and appearance of the surrounding area;
- c) The proposal would have a detrimental impact on the amenity of neighbouring residents and would result in the creation of a satisfactory living environment;
- d) The proposal raises any issues in respect of parking and road safety;
- e) There are any other material considerations; and
- f) Any issues raised in the public comments have been addressed.

a) Principle of development

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

The application site is in the urban area of the LDP and the street and surrounding area are residential in character.

The proposal complies with LDP policy Hou 1. The principle of the development of a house in this location is acceptable.

b) Character and appearance

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area; the need to create an attractive residential environment within the development; the accessibility of the site to public transport; and the need to encourage and support the provision of local facilities necessary to high quality urban living. It goes on to explain that in established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

The street and surrounding area consist predominantly of two storey houses and flatted blocks, although there are also some bungalows, set within a mixture of plot sizes. The height of the proposed building is compatible with the predominant height in the surrounding area. The existing dwelling house has most of its garden ground to the

side and the prevailing spatial pattern in the surrounding area is for most of the garden ground to be to the rear of the house, although there are examples nearby of garden space is to the side of the house. Garden ground proposed for the new house will be to the front and rear and this will be compatible with the garden pattern of the surrounding area. The proposed building will occupy approximately 30% of the new plot created by the subdivision of the original plot. This will enable front and rear gardens to be provided and will not result in overdevelopment of the plot. The proposal will occupy an appropriate amount of the plot size.

The spatial pattern in this area is varied. There is a range of spacing between houses in the street and also a range of positioning of buildings on plots. The proposed building will have the same building lines to the front and rear as the existing properties on either side and will sit comfortably between the existing neighbouring buildings. The proposal will respect the spatial pattern and density of the surrounding area. It will not result in intensification of residential use in the street or surrounding area.

The proposal will contribute to the range of house sizes in the area by providing one bedroom houses.

The proposed materials will match those of the original dwelling house and nearby buildings in the street and area. Boundary treatments

The proposal draws on the positive characteristics of the surrounding area. The proposal complies with Policies Des 1, Des 4 and Hou 4.

c) Amenity

Neighbouring amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The Edinburgh Design Guidance advises that new buildings should be spaced out so that reasonable levels of daylight to existing buildings are maintained. It also advises that it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook, daylight and sunlight can be achieved. The layout of buildings in an area will be used by the Council to assess whether the proposed spacing is reasonable.

The proposed location of the building will sit within a gable to gable position and will not cause any loss of daylight to neighbouring properties windows. Some overshadowing to neighbouring gardens will occur and this is within acceptable limits. Overshadowing and loss of sunlight will occur to the north west neighbouring property's garden ground with its side garden being overshadowed. A shed and refuse bins are located in this side garden with some shrubs and, therefore, the amenity it affords is compromised. The side garden will experience some loss of sunlight in the early morning and this is acceptable given that the neighbouring garden will receive sunlight during the rest of the day. In addition, there is a large area of communal green.

The Edinburgh Design Guidance includes advice on protecting sunlight to existing gardens and spaces. A small loss to morning sunlight to a rear neighbouring garden will be experienced and this is within acceptable limits. Loss of evening sunlight to a neighbouring property opposite the application site will have little impact given that the front garden is on a busy road and the existing amenity afforded is compromised by the road. In this context, the loss of evening sunlight to the property opposite the application site is acceptable.

The front windows will overlook the public street and the rear windows will be no nearer the existing boundaries than those of the existing dwelling house. Existing rear windows look onto the gable of neighbouring property at 40 Glendevon Road and the proposed windows would look over its garden ground. The proposed 1.8m high fence will prevent overlooking from ground floor rear windows and the upstairs bathroom windows will be frosted or obscure glazing. The proposal will not create new overlooking into neighbouring properties nor into their rear gardens from habitable rooms. The rear windows will not be directly opposite existing windows of neighbouring buildings. The Edinburgh Design Guidance recognises that people value the ability to look outside, whether to gardens, streets or more long-distance views. The proposal will not have an unreasonable impact on outlook from existing neighbouring properties.

The existing dwelling house at number 132 Balgreen Road will experience a reduction in the amount of garden amenity space. The rear and side gardens are currently separated by a high fence and the house is taking its outside amenity value from the rear garden. The amenity value afforded by the side garden is minimal and given the amount of nearby open space, such as Saughton Park and Gardens, its loss will not have a detrimental impact on the overall outdoor amenity of the original house.

The proposal complies with policy Des 5 and will not have a detrimental impact on the amenity of neighbouring residents.

Amenity for future occupiers

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

LDP Policy Hou 4 (Housing Density) takes account of the need to create an attractive residential environment within the development.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

The Edinburgh Design Guidance states that private open space/gardens should be designed for a range of functions.

The Edinburgh Design Guidance requires a minimum internal floor area of 52 square metres for a one-bedroom unit. The proposed internal floor space of 53 square metres marginally exceeds this minimum requirement and is acceptable. Living spaces within the proposed development will be capable of receiving adequate levels of daylight as

windows and doors are suitably located to ensure habitable rooms will receive an adequate level of daylight.

A rear garden will be provided, and this is a satisfactory amount and type of private outdoor amenity space.

The proposal complies with policies Des 5, Hou 4 and Hou 3 and will, therefore, provide adequate amenity space for prospective occupants.

d) Parking and road safety

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

The Roads Authority has advised that it has no objections to the application. The proposal complies with the relevant parking standards in the Edinburgh Design Guidance in terms of both vehicles and cycle parking and is acceptable.

There are no roads authority, transport, parking or road safety issues. The proposal complies with policies Tra2-Tra 4.

e) Other considerations

Tree

LDP Policy Env 12 (Trees) states that development should not damage trees protected by a Tree Preservation Order or any other tree worthy of retention.

A mature cherry tree in the existing front garden and to the south east of the proposed new plot has been cut down. These did contribute to the amenity of the area. A condition is, therefore, recommended requiring a landscape plan including replacement tree planting.

Flooding and drainage

LDP Policy Env 21 (Flood Protection) states that planning will not be granted for development that would increase flood risk or be at risk of flooding.

Flood Planning has advised that it has no major concerns over this application and that it would accept a condition that prior to construction the applicant confirms that Scottish Water accept the surface water discharge rate to the combined system. However, this does not comply with Planning Circular 4/1998 The Use of Conditions in Planning Conditions and, therefore, an informative is recommended.

Waste

Bin storage is proposed in the front gardens. Any domestic collection of waste would need to be agreed in advance with Waste and Cleaning Services before developing the site.

f) Public Comments

Material Comments - Objection:

- principle of development. Addressed in 3.3a).
- design and townscape. Addressed in 3.3b).
- road safety, traffic and parking. Addressed in 3.3d).
- accuracy of plans. Revised drawing showing existing boundary treatment has been submitted.
- amenity issues. Addressed in 3.3c).
- loss of tree. Addressed in 3.3e).
- neighbour notification - neighbouring properties within 20 metres of the application site were notified as per The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The neighbour notification has been carried out correctly under the requirements of the planning legislation.

Material Comments - Support:

- principle of development - provision of housing; use of space.
- design - townscape; architecture; diversity; like design.
- amenity - improvement of site; close to parks and schools.

Non-material - Comments:

- storing of building materials and debris. Not a material planning consideration.
- loss of hedge. Planning permission not needed to remove hedge.
- future use e.g. renting out. How the applicant uses or intends to use the residential property is not controlled by the planning authority.

CONCLUSION

In conclusion, the proposal is acceptable in this location and complies with the Local Development Plan. It is of an appropriate design, form and scale and is in keeping with the character, appearance and spatial pattern of the surrounding area. The proposal draws on the positive characteristics of the surrounding area and complies with Policies Des 1, Des 4 and Hou 4. The proposal will not have a detrimental impact on neighbouring amenity and will provide a satisfactory living environment for future occupiers. It complies with policies Des 5, Hou 4 and Hou 3 and the Edinburgh Design Guidance. There are no parking or road safety issues and the proposal complies with policies Tra 2 - 4. There are no other material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A fully detailed landscape plan including details of all hard and soft surface and boundary treatments and all planting, including replacement tree planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. 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.
2. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. Prior to construction the applicant shall confirm that Scottish Water accept the surface water discharge rate to the combined system.
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. 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.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Thirty-one public comments were received. Of these, nine were objections and 22 were 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**

Local Development Plan - Urban Area

Date registered

2 March 2021

Drawing numbers/Scheme

01-02,03A,04A,05.,

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Jackie McInnes, Planning officer
E-mail: jackie.mcinnnes@edinburgh.gov.uk

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

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

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

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

Roads Authority

No objections.

Flood Planning - first response 1 April 2021

Thank you for the consultation request. We have the following comments, to be addressed by the applicant:

- 1. Please confirm how surface water runoff will be managed. We recommend the applicant consider rainwater harvesting and soakaway features, if feasible.*
- 2. We would request the applicant implements surface water attenuation measures (SUDS) on site.*
- 3. If possible, we recommend the applicant consider above ground surface water attenuation and treatment features. Above ground features that are integrated into the landscape, such as raingardens, allow for easier maintenance and identification of potential reduction in storage capacity or blockages. SUDS features that encourage evapotranspiration and infiltration also have the potential to reduce the volume of surface water discharging from the site. We are also keen to see SUDS features that encourage wider benefits such as biodiversity improvements.*
- 4. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land as a result of the development. Second, to identify if surface water will flow towards property entrances and sensitive receptors.*

Please let me know if you or the applicant has any queries.

Flood Planning - second response 3 June 2021

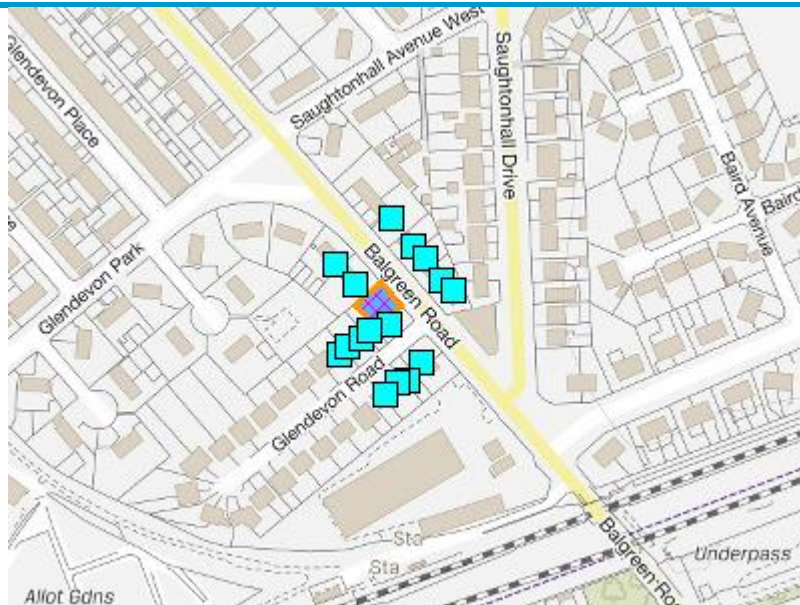
Thank you for sending through the additional information. We have no major concerns over this application, although do have one remaining comment. I appreciate engaging with Scottish Water can delay the planning process. Let me know if you think a placing a condition would be more appropriate.

o Where will surface water ultimately discharge to? If discharging to the Scottish Water combined system, we would request confirmation that Scottish Water accept the proposed surface water discharge rate.

Flood Planning - 14 June 2021

If required, we would accept a condition that prior to construction the applicant confirms that Scottish Water accept the surface water discharge rate to the combined system.

Location Plan



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