

Development Management Sub-Committee Report

Wednesday 30 March 2022

**Application for Planning Permission
Middle Kinleith Farm, Harlaw Road, Balerno.**

Proposal: Creation of 3 dwelling houses (as amended).

**Item – Committee Decision
Application Number – 21/05193/FUL
Ward – B02 - Pentland Hills**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 30 letters of support have been received and it is recommended for refusal. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposals do not comply with the Edinburgh Local Development Plan.

The principle of residential development in this green belt location is contrary to policy.

The scheme brings potential benefit through improving part of the land through replacing redundant agricultural buildings with new dwellings and landscaping.

However, the overall scale and layout of the residential development is not compatible with the surrounding settlement therefore will detract from the rural character of the area.

Justification for the development does not constitute exceptional planning reasons.

Overall, the material considerations support the presumption against granting planning permission.

It is therefore recommended that the application be refused.

SECTION A – Application Background

Site Description

The site is located to the south of Currie, on the northern side of Harlaw Road. It covers over 3,500 sqm of land and is on average 227m above sea level. Originally, it formed part of a larger farm holding.

There are two main former agricultural buildings on the site - a cattle shed and an open sided barn. There are some temporary buildings, connected with the conversion of a house on the adjacent site.

The remaining buildings, including the Dutch barn in the centre, have been removed and this part of the site has recently been used for storage of materials. There is a downward slope evident from south to north.

There were previously five buildings on-site. The remaining buildings are of a functional appearance with a structural frame and are of no architectural or historic importance.

There are some former agricultural buildings near the boundary to the west which are now residential, and a dwelling is in the process of being constructed from a farm building on the west boundary.

To the east is series of historic farm cottages with a mix of housing and bed and breakfast accommodation.

To the north are open fields and to the south a mix of open landscapes with some farm buildings/houses.

The site lies within the Green Belt and Pentlands Special Landscape Area as identified in the LDP. A local nature conservation site lies to the east in Poet's Glen which is bordered by dense woodlands.

Description of the Proposal

Three residential dwellings are proposed.

The former cattle shed to the north-west corner will be replaced with a residential dwelling with two floors, formed by retaining the existing steel frame.

The open sided barn on the southern side of the site will be demolished and replaced with a dwelling over two floors. The applicant has stated the existing steel will be re-used for its construction.

A third, single-storey dwelling is proposed to be constructed at the north-east edge of the site largely on undeveloped land.

The development is a modern design that takes cues from its rural context through the materials proposed. Walls will be clad in a muted green zinc, stone and timber detailing with a green roof.

Each dwelling will have an integral garage with cycle storage.

The existing access road into the site will be upgraded.

Supporting Information

- Design Statement
- Drainage and flood risk assessment
- Landscape and visual appraisal
- Surface water flow plans

Relevant Site History

No relevant site history.

Other Relevant Site History

3 August 2000 - Planning permission granted for the restoration and conversion to one dwelling house - (application reference 00/01630/FUL).

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Transportation Planning

Archaeology

Flood Planning

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 13 October 2021

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable;

Site Notices Date(s): Not Applicable;

Number of Contributors: 30

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant policies to be considered are:

- LDP Design policies Des 1, Des 4, Des 6
- LDP Environment policies Env 9, Env 10, Env 11, Env 16, Env 21, Env 22
- LDP Housing policies Hou 1, Hou 3, Hou 4
- LDP Transport policies Tra 2, Tra 3, Tra 4

The non-statutory Guidance for Development in the Countryside and Green Belt and Edinburgh Design Guidance are material considerations that are relevant when considering LDP policies.

Principle of the Proposal

LDP policy Hou 1 (Housing Development) refers to preferable locations for housing developments. Priority is given within the urban area as defined by the Local Development Plan (LDP) , or, within the green belt subject to criteria if there is a deficit in the housing land supply.

The site is not within the urban area and there is no deficit in housing land supply therefore the proposal does not comply with LDP policy Hou 1.

LDP policy Env 10 (Green Belt and Countryside) states that within the green belt and countryside development will only be permitted where it meets one of criteria (a-d) and will not detract from the landscape quality and / or rural character of the area.

Criteria a) relates to development for agriculture, woodland and forestry, horticulture or countryside recreation, or where countryside location is essential to the use.

A residential development is proposed, where a countryside location is not essential therefore criteria (a) is not met.

Criteria b) relates to change of use of an existing building, provided it is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.

The dwelling on plot A retains the existing steel structure whilst plot B will re-use existing steel. However, the agricultural buildings will largely be demolished therefore this does not constitute a change of use of the existing buildings. Further, these buildings are of utilitarian appearance that are not valuable elements in the landscape. In addition, one of these buildings involves new build elements as the footprint will be altered. The proposal therefore does not meet the requirements of criteria (b).

Criteria c) relates to an existing use or building and d) for the replacement of an existing building in the same use.

The proposal is for new residential units therefore does not meet the requirements of criteria (c).

Criteria d) relates to replacement of an existing building with a new building in the same use.

A new use is proposed therefore this criterion is not met.

The Guidance for Countryside and Green Belt states new houses not associated with countryside use will not be acceptable, unless there are exceptional planning reasons for approving them including reuse of brownfield land and gap sites within existing clusters of dwellings.

Furthermore, the guidance sets out when proposals for replacement buildings in the countryside and green belt will be permitted. The buildings must meet the following criteria:

Replacement Buildings

Criteria i) refers to the existing building being substantially intact and having a lawful use under the Town and Country Planning Acts. The use must not have been abandoned or changed from another without planning permission;

The existing buildings are substantially intact as their external structure has been retained.

They were agricultural buildings in use as a cattle shed constructed in 1979 and an open-sided barn dating from 1964.

However, the planning statement refers to the site being generally derelict over the last 20 years as finding a use for the buildings has been difficult.

It is therefore considered that their lawful agricultural use has been abandoned therefore criteria (i) is not met.

ii) refers to the existing building not being listed;

The existing buildings are not listed therefore this criterion is met.

iii) refers to the new building being within the curtilage of the existing building and preferably on the same site

The replacement buildings are within the curtilage of the existing buildings therefore this criterion is met.

iv) refers to the existing building being of domestic scale (a building similar to the size of a standard dwelling house) and the new building of a similar or smaller size and not detracting from the open, rural character of the green belt or countryside;

The new buildings will alter the developed footprint on-site. The building on plot B will increase from 215m² to 235 m². Plot A will decrease from 430 m² to 360 m². The replacement buildings would therefore be similarly scaled to the existing agricultural buildings.

However, the footprint and layout of plot A is large for a residential property. Larger domestic buildings are evident nearby however generally these are long, narrow footprints with a mixture of single and two-storey scales evident.

The overall bulk and mass of the building on plot A is not in keeping with the general domestic scales of dwellings evident.

Plot B is largely in keeping with the domestic scale of buildings nearby.

In light of this, the proposals do not fully comply with criteria (iv).

The impact of the proposal on the rural character of the green belt has been assessed at the end of this section.

v) refers to the proposal not increasing activity to a level that would detract from the rural character of the green belt or countryside in terms of traffic or amenity;

The proposed domestic use is consistent with the use of adjacent land and the introduction of three dwellings is relatively small-scaled. It would, therefore, not result in a level of activity that would be detrimental to the land's rural character in terms of traffic or amenity.

vi) the existing building is of poor quality design, structural condition and beyond reasonable repair.

The existing buildings are of a poor-quality functional design reasonably typical of their former agricultural use.

A structural engineer's report has not been provided therefore no definitive comment can be made on their structural condition or capacity to be repaired.

However, they appear to be in poorer condition which in tandem with their age and functional design is unlikely to be suitable for conversion for domestic use.

viii) refers to the proposal being designed to a high quality which accords with relevant LDP policies and guidance;

This criterion has been assessed through section on design detailed below.

New Build Dwellings

The guidance also sets out criteria for the circumstances where new build dwellings are acceptable as per the following:

Proposals for new build dwellings in the countryside and green belt associated with existing or proposed countryside uses will be permitted provided the following criteria are met:

- a) a functional need for the dwelling is established; including its importance to the operation of the farm or holding and why existing buildings cannot fulfil the functional need
- b) the need relates to one or more full-time workers, or one who is employed primarily in agriculture, and does not relate to a part time requirement
- c) the unit and rural activity/business are financially sound, and have clear prospect of remaining so
- d) the functional need could not reasonably fulfilled by an existing building
- e) the design, scale and layout of the building accords with the LDP and Edinburgh Design Guidance.

In regard to criteria a) to d), the supporting information states that farm operations ceased functioning on-site 20 years ago. Furthermore, that it is the intention for family to move into two houses to establish themselves into the community and the third to assist with funding the construction.

Criteria a) to d) are therefore not met, as the new build dwelling on plot C is for a private residence which does not support an existing or proposed countryside use.

In regard to criteria e) this has been assessed through sections below.

In addition, the applicant has provided justification for construction of the new build dwelling on plot C summarised below:

Brownfield

The design statement refers to the site being used as a dumping ground for demolished buildings. In addition, that historic mapping shows demolitions on some of the ground where the new house is proposed.

However, a submitted aerial photo from when the farm was operational shows land to the north-east as mainly undeveloped greenspace.

Sections highlighted as where materials have been deposited or where there was a demolished historic structure cover small area of the land proposed for the new dwelling.

The land is mainly not brownfield, and this justification does not constitute an exceptional planning reason.

Environmental

The statement refers to the design of houses having environmental benefit being sustainable and energy efficient. Energy use will be minimal; light and heating will be served via electricity with carbon emissions diminishing to zero.

Sustainable buildings are supported through policy however this does not justify departure from the green belt policy or guidance.

Gap Site

It is stated the third house will fill the gap in the community of houses and is a logical place to complete the grouping.

It is recognised the site has buildings either side however, there is no clear spatial pattern to development in the area. The undeveloped nature of the site does not appear as a defined gap site within a cluster of dwellings. The site could not reasonably be construed as a gap site.

Community Support

The community support for the proposal has been highlighted and 30 letters of support received.

The material considerations raised have been considered in this assessment. However, this does not constitute an exceptional planning reason for approval having regard to relevant policy and guidance.

Economic Case

It is stated the client requires three houses with the intention being that two are to be occupied by family members and the third sold to assist with construction costs. Furthermore, that the third dwelling would raise funds to increase the quality of the whole and create economies of scale (shared drainage, driveway, materials, workers, infrastructure).

In addition, that the cost of restoring / improving a site which detracts from the landscape quality and rural character will be shared over the plots.

These comments are noted however do not constitute exceptional planning reasons having regard to the above policy and guidance.

Impact on the Green Belt

The applicant states that the dwelling will have minimal visual impact, is of high-architectural merit and improves biodiversity through green roof provision and a meadow above.

Part of the site is in a poorer condition through the redundant agricultural buildings and some materials deposited.

However, whilst the site contains unused agricultural buildings and land is overgrown / unkempt in part, it is still principally rural in its character. Residential development nearby is characteristic of the rural setting in terms of domestic scale and materials. This includes a farmhouse, cottages, and the conversion of a barn / mill.

The redevelopment of the agricultural buildings would provide a new use on brownfield land that would form a settlement with houses either side. The primary use of green zinc cladding is modern, and forms part of a high-quality design that relates to the agricultural buildings in situ. There is potential to improve aspects of the land through landscaping and biodiversity features on-site.

The new dwelling to the north-east is single storey, which in tandem with its green roof would reduce its visual impact.

However, the location of this dwelling is mainly on undeveloped grassland. This provides continuity with undeveloped open fields to the north and is in keeping with this surrounding rural context.

Furthermore, it is a large footprint covering 405 sqm therefore will result in a significant degree of disturbance to undeveloped land. This footprint and layout are not in keeping with the modest domestic scale of buildings evident in the area.

As a grouping, the development is not in keeping with the rural character of the settlement and local environment. Therefore, it will detract from the rural character of the green belt and it is contrary to LDP policy Env 10.

Furthermore, the proposals do not meet the circumstances that justify departure from policy as set out in the Guidance for Development in the Countryside and Green Belt.

Special Landscape Area

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

The site is located within the Pentlands Special Landscape Area.

A landscape visual impact assessment has been submitted detailing the extent existing buildings are visible in longer view.

The replacement dwellings on plots A and B will alter the developed footprint on-site however their height and mass will be similar to existing structures in situ. In this regard, dwellings will have similar level of visibility in wider view to existing agricultural buildings.

The dwelling on plot C will result in a change to the outlook from certain views. However, its lower scale, design partly sunken into the land minimises the extent of its visibility across the wider landscape. The materials and inclusion of green roofs will further help blend the building in wider views.

The proposal therefore will not result in a significant adverse impact on the special character or qualities of the SLA and complies with LDP policy Env 11.

Scale, Form and Design

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) 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.

The new houses are of a high-quality design and use modern materials that take cues from the existing rural context. The use of green roofs would help blend the buildings into the landscape.

However, the overall large scale and layout of the residential development is out of proportion with domestic dwellings in this rural setting. It will therefore appear incongruous within the confines of the plot and fail to respect the rural character of the area.

The proposal is therefore contrary to LDP policy Des 4 (Impact on Setting).

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. It further requires new development to offer suitable level of amenity to future residents.

Amenity of Future Occupiers

Adequate levels of light and outlook will be provided for each dwelling by virtue of the windows proposed.

In regard to privacy, there is no defined spatial pattern to development in the immediate area where distances between houses vary.

Dwellings on plots A and C will be in some proximity to each other located approximately 14m at their closest point. However, the position of these properties largely prevents direct outlook between rooms. In addition, where habitable rooms face each other, the size of opening on plot A has been minimised.

The orientation and separation distances retained between all other openings is adequate to ensure a reasonable level of privacy will be achieved for future occupiers.

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.

Adequate provision of greenspace is provided on site via land around the dwellings. The size and position of these spaces will receive adequate levels of sunlight. Further details of all hard and soft boundary treatments are required by condition and this will formalise the garden space for each plot.

The EDG requires a minimum internal floor area of 81 m² for three bedroom dwellings and 91 m² for three bedrooms or more with enhanced storage designed for growing families.

All dwellings exceed the minimum space standards.

Neighbouring Amenity

As detailed above, there is no defined spatial pattern to the area.

First floor openings on the west side of dwellings on plots A and B will be in some proximity to the common boundary, between 7 to 8 m at the closest point. Some view of adjacent gardens is likely to occur. However, the plot sizes are large, and occupants benefit from good sized private gardens. In light of this, and the distances retained no unreasonable impact on amenity occupiers will occur as a result.

Openings at ground floor will face boundary treatments and not result in a material loss of privacy. A condition has been recommended for full details of all hard and soft landscaping including boundaries prior to commencement of development.

The orientation and separation distances retained between all other properties is adequate to ensure no unreasonable loss of privacy will occur.

Furthermore, there will be no adverse impact on daylight or outlook from existing windows, or sunlight to garden spaces.

The use of the site for residential development is compatible with residential uses nearby. It is therefore not anticipated that the development will give rise to an unreasonable level of noise.

The proposal complies with LDP policy Des 5.

Transport

Car parking

LDP policy Tra 2 (Car Parking) states proposed car parking provision should comply with and not exceed levels set out in Council Guidance.

The revised proposal includes provision for one car parking space per dwelling via the integral garage proposed which complies with LDP policy Tra 2.

LDP policy Hou 4 refers to an appropriate density being sought on site having regard to its accessibility including access to public transport.

Supporting paragraph states higher densities will be appropriate in the City Centre and other areas with good levels of public transport accessibility.

The site is located approximately 1000 metres from the nearest bus stop located on Lanark Road West near the junction with Riccarton Mains Road. The closest group of shops is 1200 metres from the site on Lanark Road West, to the west of Curriehill Road.

These locations are between a 4–5-minute drive which is further than would be expected in an urban context. Furthermore, it is acknowledged that given the characteristics of the area with no footways or designated cycle ways from the site use of private car is the most likely mode of transport.

However, the site is rural in character and the distances are consistent with the more rural setting of the area. Whilst small-scale, there are houses around the site and the level of accessibility to public transport and services would be consistent with these.

In light of this, and the lower density of development proposed the level of accessibility is acceptable in this case.

Cycle parking

LDP policy Tra 3 (Cycle Parking) states planning permission will be granted for development where proposed cycle parking complies with standards in Council Guidance.

LDP policy Tra 4 (Design of Private Car and Cycle Parking), states cycle parking should be closer to building entrances than general car parking.

The site is identified as being within Zone 3 in the Edinburgh Design Guidance (EDG) which states dwellings with three habitable rooms should have minimum cycle provision of two bicycles. Dwellings with four or more habitable rooms should have at least three cycle spaces.

The revised proposal meets this provision for the three dwellings via cycle spaces located within the integral garage. This design is appropriate for use by long-term residents as it is in a secure, covered location near the building entrances.

The proposal therefore complies with LDP policy Tra 3 and Tra 4.

Roads Authority

The Roads Authority have been consulted on the proposals and raised no objection. Conditions or informatives have been recommended in regard to arranging refuse details, road names and consideration of electric vehicle charging points. Informative have been included in regard to these matters.

No specific road or pedestrian safety issues are raised.

Archaeology

LDP policy Env 9 (Development Sites of Archaeological Significance) aims to protect archaeological remains.

The City Archaeologist has been consulted on the proposal and has commented on the history of the site and surrounding area. Middle Kinleith Farm was constructed in the early 19th century and lies adjacent to an 18th century former weavers' cottage. The farm lies within the medieval Kinleith estate.

The site is therefore of archaeological and historic significance. The works have the potential to unearth archaeological evidence therefore submission of a programme of archaeological works is recommended by condition should the proposal have been acceptable on all other aspects.

Subject to approval of this detail, the proposal complies with LDP policy Env 9.

Sustainability

LDP policy Des 6 (Sustainable Buildings) states permission will only be granted for development which meets carbon dioxide emission targets and incorporates features to reduce or minimise environmental resource use and impact.

Proposals for new development must accord with current emission reduction targets set out by Scottish Building Standards. This aspect will therefore be assessed under any subsequent building warrant.

The development incorporates low carbon technologies including low energy use, inclusion of green roofs and sustainable materials. Use of sustainable modes of transport are encouraged through cycle provision.

The proposal complies with LDP policy Des 6.

Flooding

LDP policy Env 21 (Flood Protection) stated development will not be granted for development that will increase flood risk.

The applicant has submitted a drainage and flood risk assessment which has been reviewed by City Council's flooding officers.

Further information has been requested in regard to soakaway testing on-site to ensure adequate space is safeguarded for implementation of these measures prior to determination.

The applicant has undertaken digging of trial pits on-site and has stated the exact soakaways will be confirmed at detailed design stage.

As identified on SEPA maps, the site has no specific river, coastal or surface water flood risk and the site area is large. It is therefore considered reasonable that final details of the soakaway testing be controlled via a pre-commencement condition should the proposal have been acceptable overall.

Subject to submission and approval of this matter, the proposal complies with LDP policy Env 21.

Contaminated Land

LDP policy Env 22 (Pollution and Air, Water and Soil Quality) states development should not have significant adverse effects for health, the environment and amenity or mitigation provided where appropriate.

There is the potential that the site may have contaminated the ground through previous use.

A condition would therefore have been recommended for submission of a site survey prior to commencement of works in order to ensure the ground is safe and stable for residential use should the proposal have been acceptable overall.

Ecology

LDP policy Env 16 (Protected Species) aim to ensure development will not be to the detriment of a protected species and suitable mitigation is proposed.

Given the existing level of disturbance on-site, bats are not a constraint to development and the proposal will not conflict with LDP policy Env 16.

Conclusion in relation to the Development Plan

The proposals do not comply with the Edinburgh Local Development Plan.

The principle of residential development in this green belt location is contrary to policy. The overall scale and layout of the development will detract from the rural character of the area.

The scheme brings some potential benefit through re-use of brownfield land for two dwellings and landscaping. Sustainable features are incorporated.

However, justification given for the construction of three dwellings does not constitute exceptional planning reasons.

The benefits of the scheme do not outweigh the departure from policy or impact on the rural character of the area.

There is therefore a presumption against granting planning permission.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal is not located in a sustainable location as it will be reliant on car usage. Overall, the scale and layout of the residential development is not characteristic of the rural environment.

There is some benefit through re-use of brownfield land for residential dwellings to replace unoccupied agricultural buildings. The design is high-quality, and measures to assist with climate change mitigation are incorporated.

However, the proposal as a whole does not comply with principles of the SPP.

Appeal Decisions

A recent appeal decision for six houses in the green belt at 572 Lanark Road West (reference: PPA-230-2337) was overturned and planning permission was granted. The reporter recognised that the proposal was contrary to Env 10, however considered other material planning considerations indicated permission should be granted. These included the site's current and long-standing poor condition and that it was effectively a brownfield, infill, site at the settlement edge.

Each case is considered on its individual merits and the facts and circumstances surrounding this case are entirely different in that the Balerno case was characterised as being surrounded by residential development.

In the considerations the reporter noted that distances to local bus services and shops were longer than in an urban setting, however, that these were consistent with the rural setting of this part of the settlement.

This site is not on the edge of a large settlement however it is located between a small group of houses. The supporting statement refers to the site mainly being unused over the past 20 years. The cattle shed and open barn being redundant in terms of their former agricultural role.

As long-standing unused buildings in some state of disrepair, their replacement with houses of high-quality design with green roofs and landscaping has potential to improve the appearance of part of the land.

However, whilst the proposal re-uses existing agricultural building footprints the development overall, is not compatible with the surrounding rural settlement in terms of domestic scale and layout.

The site is partly in a state of disrepair however it is still principally rural in character. The cumulative scale of residential development is large and in tandem with the associated works will alter the character of the land. In this regard, the proposal will detract from the rural character of the green belt by virtue of the scale and layout of the development.

As detailed in section a), it is recognised that due to the site's characteristics and rural location the development will mainly be reliant on car usage. However, distances from the site to bus and local services are not at odds with residential development in a more rural setting.

Albeit small-scale, there are houses nearby and the level of accessibility from this site would be similar.

In this regard, whilst the development is not in a sustainable location its level of accessibility is acceptable based on the rural characteristics of the area

Emerging policy context

The Draft National Planning Framework 4 is being consulted on at present and has not been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

While City Plan 2030 represents the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

30 letters of support have been received, and are summarised below :

material considerations

- Re-use of redundant buildings and brownfield land : Addressed in section (b) - principle of proposal
- Positive design, enhance area and environment : Addressed in section (b) - principle of proposal and scale, form and design
- Sustainable benefits : Addressed in section (b) - sustainability
- Minimal impact on views : Addressed in section (b) - principle of proposal and special landscape area
- Minimal traffic impact: Addressed in section (b) - transport

non-material considerations

Quality of renovations nearby: Each application is assessed on its own merits.

Positive reputation of builder: This matter cannot materially be assessed under this application.

Conclusion in relation to identified material considerations

The proposal is not located in a sustainable location as it is anticipated there will be mainly a reliance on car usage.

The scheme brings benefit, through re-use of previously developed land for dwellings which will improve the appearance of part of the land. Sustainable features are incorporated.

However, the principle of residential development is not supported in this location and the cumulative scale and layout of development will alter the character of the local environment.

Overall, the material considerations support the presumption against granting planning permission.

c) Overall conclusion

The proposals do not comply with the Edinburgh Local Development Plan.

The principle of residential development in this green belt location is contrary to policy.

The scheme brings potential benefit through improving part of the land through replacing redundant agricultural buildings with new dwelling and landscaping.

However, the cumulative scale and layout of the residential development is not compatible with the surrounding settlement therefore will detract from the rural character of the area.

Justification for the development does not constitute exceptional planning reasons.

Overall, the material considerations support the presumption against granting planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons:-

1. The proposal is contrary to LDP policy Env 10 - Development in the Green Belt and Countryside, as it does not meet criteria a) to d) and the cumulative scale and layout of the residential development is not compatible with the surrounding settlement therefore will detract from the rural character of the area.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the scale, proportions and layout of the residential development fail to respect existing domestic form in this rural setting therefore will have an unacceptable impact on the character of the area.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 4 October 2021

Drawing Numbers/Scheme

01-05, 06 A - 19 A, 20 - 22

Scheme 2

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Lewis McWilliam, Planning Officer
E-mail:lewis.mcwilliam@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Transportation Planning

COMMENT: No objections to the application.

It is understood parking provision has been amended to a single garage per unit.

Conditions or informatives are recommended in regard to waste provision to be agreed, road naming and electric vehicle charging points.

No dedicated cycle parking is required as each residential unit has a private garage.

DATE: 22 February 2022

NAME: Archaeology

COMMENT: The site occupies the historic farm of Middle Kinleith dating from the early 19th century and adjacent to weaver's cottages from the 18th century.

In addition, its location beside Poets Glen Burn gives potential for prehistoric remains.

The site is therefore of archaeological and local historic significance. The proposal may reveal archaeological evidence dating from the Georgian period or before.

A condition is therefore recommended for a programme of archaeological works to be undertaken:

No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The work should be carried out by a professional archaeological organisation.

DATE: 22 February 2022

NAME: Flood Planning

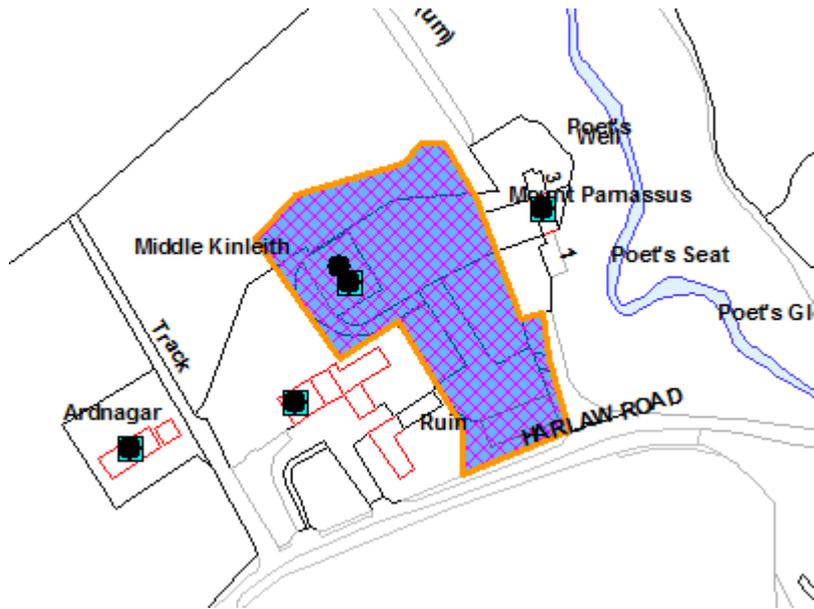
COMMENT: Prior to determination the applicant should provide evidence soakaway testing has been undertaken to confirm the proposed soakaway is feasible.

This helps ensure adequate space is safeguarded for the soakaway on-site.

DATE: 22 February 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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