

Development Management Sub-Committee Report

Wednesday 25 January 2023

**Application for Planning Permission
6 Braid Hills Approach, Edinburgh, EH10 6JY**

Proposal: Demolish existing bungalow and erect new house, garage, hobby room and access road.

**Item – Committee Decision
Application Number – 22/00712/FUL
Ward – B10 - Morningside**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 63 letters of objection have been received and it is recommended for approval. 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 **Granted** subject to the details below.

Summary

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site consists of a single storey bungalow located at an elevated position on a hill overlooking the city from the Braid Hills area. There is currently no road access up to the house only steps winding up the front garden which end at the nearest vehicular access. The site slopes down at the back to the rear boundary of the houses which sit to the south. The current house footprint is 160 sqm.

There is a single garage at the foot of the hill, bin store area and a shared access road.

The surrounding area is residential in nature. There are a variety of styles and heights evidenced by the surrounding residential properties. A two-storey house (7 Braid Hills Approach) sits near the application site to the northeast. Further up Braid Hills Approach road to the east there is a three-storey house (4 Braid Hills Approach), although two storeys is the dominant building height within the immediate residential area.

The Braid Hills Golf Course lies to the east of the residential area and is designated Green Belt and a Special Landscape Area - Braids, Liberton and Mortonhall. This wraps round to the south. An area of open space lies on the other side of Braid Hills Approach.

Description of the Proposal

The proposal includes the demolition of the existing residential bungalow and replacement with a three-storey dwelling and associated works including formation of a new site access and small-scale solar array.

The new dwelling is three storeys in height and utilises a contemporary design approach. A combined built footprint of 304 square metres (sqm) will be occupied by the proposed dwelling and ancillary hobby room. To support the sustainability of the proposed dwelling, an inclined plane supporting a 58 sqm section of solar array (formed by several PV Panels) is proposed, located directly next to the ancillary hobby room south of the proposed dwelling.

To facilitate development of the proposed dwelling, total demolition of the existing, single storey bungalow on site is proposed, as well as total demolition of the existing single storey garage located at the foot of the existing stepped access to the site.

Materials comprise zinc cladding and roofing, and panels of white brick framed in steel. Extensive glazing is proposed on the north, west and south elevations as evidenced by the extensive window openings shown on the submitted elevation drawings.

A high degree of private amenity space associated with the site will be retained as part of the proposal.

The site access is to be altered by way of creating a vehicular access from the Braid Hills Approach and a revised step access route leading from Braid Hills Approach to the proposed dwelling.

Revised Scheme-

A revised scheme was submitted for consideration in October 2022 which reflected proposed amendments to address points raised by the case officer regarding visual impact of the initial proposal within the townscape, and impacts on neighbouring residential amenity. The amendments included a reduction in height of 1.5 metres, and the re-orientation of the proposed dwellinghouse within the site by a further 4 metres off the west boundary into the site, in order to provide further clearance from the neighbouring residential property at 7 Braid Hills Approach. A renotification of neighbours took place in light of the amended scheme details.

Relevant Site History

No relevant site history.

Other Relevant Site History

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Natural Heritage

Transportation

Flood Planning

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

Publicity and Public Engagement

Date of Neighbour Notification: 24 October 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 79

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 Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policy Des 1 - Design Quality and Context
- LDP Design policy Des 3 - Development Design - Incorporating and Enhancing Existing and Proposed Measures
- LDP Design policy Des 4 - Development Design - Impact on Setting
- LDP Design policy Des 5 - Development Design - Amenity
- LDP Design policy Des 6 - Sustainable Buildings
- LDP Design policy Des 11 - Tall Buildings
- LDP Environment policy Env 12 - Trees
- LDP Environment policy Env 16 - Species Protection
- LDP Environment policy Env 21 - Flood Prevention
- LDP Housing policy Hou 1 - Housing Development
- LDP Housing policy Hou 3 - Private Green Space in Housing Development
- LDP Housing policy Hou 4 - Housing Density
- LDP Transport policy Tra 2 - Private Car Parking
- LDP Transport policy Tra 3 - Private Cycle Parking
- LDP Transport policy Tra 4 - Design of Off-Streetcar and Cycle Parking

The Edinburgh Design Guidance is a material consideration that is relevant when considering policies of the Local Development Plan.

Land Use

Policy Hou 1 (Housing Development) - criteria d) refers to 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 site is located within the urban area where the continued residential use on-site is appropriate.

The proposal's compatibility with all other applicable policies are assessed throughout this report.

Policy Hou 3 (Private Green space in Housing Development) states planning permission will be granted for development which makes adequate provision for green space to meet needs of future residents.

The proposal includes provision of greenspace to the front and rear which will provide adequate external amenity space for future occupiers.

Policy Hou 4 (Housing Density), states an appropriate density of development on each site will be sought having regard to the following as summarised:

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

The footprint of the new dwelling will be larger than the existing. Its form will differ, and its overall height is larger, and the proposed dwelling will be reorientated in its positioning within the site. The resultant plot ratio will still be acceptable in light of the new dwelling.

The proposed ancillary hobby room will be appropriately modest in scale, as a single storey structure subservient to the proposed dwelling, finished in high quality materials in the form of white brick and white mortar to reflect the design approach for the main dwelling.

The dwelling will be an appropriate size when considered in the context of the plot, and is designed with large, glazed openings allowing natural light into the main habitable spaces. The size of garden spaces will allow good levels of sunlight to be received. Therefore, overall, an attractive residential environment will be achieved.

The established residential use on-site is compatible with the surrounding character of the area which will safeguard future living conditions.

In light of the above, the proposal complies with LDP policies Hou 1, Hou 3 and Hou 4.

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 3 (Existing and Potential Features) states permission will be granted for development where existing characteristics and features worthy of retention on the site and surrounding area have been identified, incorporated, and enhanced through design.

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. Supporting paragraph 154 of the policy refers to where the built environment is of high quality and has a settled townscape character, new development will be expected to have similar characteristics to surrounding buildings and urban grain.

LDP policy Des 11 (Tall Buildings - Skyline and Key Views) requires development which is proposed to rise above the prevailing building height in the surrounding area to result in an enhancement of the skyline and surrounding townscape where a landmark is to be created, the scale of any proposed building is appropriate in its context, and that there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or landscape setting of the city, including the Firth of Forth.

In assessing the suitability of the proposal based on the requirements of the LDP design policies there are several key factors for consideration including the proposed design approach, the proposed massing, scale, form, and overall height of the proposed dwelling in the context of distant Protected Skyline Views of the site and views of the proposed dwelling within the context of the existing townscape. As part of the assessment the agent undertook a visual impact appraisal exercise, detailing prominent near and distant views (including those of the protected skyline) to the site to assess compliance with the applicable LDP design-based policies.

In relation to townscape, there are not any prevalent characteristics of the built environment present on Braid Hills Approach and the surrounding streets in close proximity such as Braid Mount and Bramdean Rise. This being in terms of general consistency of a standard design approach, material selection and the built form. Additionally, the site is not within or in close proximity to any Conservation Areas or Listed Buildings. Given that there is no defined townscape within the immediate vicinity of the site, any design approach for the site does not require adherence to a set design approach.

However, the topography of site is unique given the elevated position of the plot, both within the street and from more distant viewpoints. This carries with it the requirement to consider the prominence of any development visually on site in order to assess visual impact.

Visual Impact-

To assess the acceptability of the proposal regarding visual impact associated with the elevated and visible nature of the site, and the increase in size, scale, massing, and overall height of the proposed dwelling a visual impact assessment has been undertaken which included several Protected Skyline Views and also prominent views of the site in close proximity from surrounding streets.

The Protected Skyline Views covered included S8a Buckstone Snab - Castle, Firth of Forth and distant hills and S8d Buckstone Snab - Corstorphine Hill in the South of the City. Given their proximity to the site and scope for views looking north over the landscape setting, cityscape and Firth of Forth beyond both were viewpoints assessed. From the S8a viewpoint the proposal would be visible, however when viewed in the context of the existing townscape the built form, scale, massing, and height proposed would not have an overbearing impact visually, nor detract from views northwards over the site, cityscape and Firth of Forth beyond. From the S8d viewpoint the proposal would not be visible due to the existing topography of the natural landscape present. There would be no overbearing visual impact, nor would the proposal by way of built form, scale, massing, and height proposed detract from the view's northwards over the cityscape and Firth of Forth beyond. A review of the Protected Skyline Views C1d - Castle Ramparts - Pentland Hills, C2b - Camera Obscura & Castle Esplanade -

Pentland Hills and C8b - Calton Hill - Pentland Hills from in and around the City Centre were also undertaken, given the importance of views from these points southwards across the cityscape towards the site and Pentland Hills beyond. The results showed that the large distances from these viewpoints to the site resulted in no significant detrimental impact on the quality of views from each individual viewpoint assessed. There would be no overbearing visual impact, nor would the proposal by way of built form, scale, massing, and height have an overbearing impact visually, or detract from the view's southwards over the cityscape towards the Pentlands.

In addition to long range Protected Skyline Views, a review of views to the site from the immediate vicinity of Braid Hills Road, Braid Hills Approach, Braid Mount and Bramdean Rise was undertaken. These show that the proposal although visible at points from the surrounding streets, would not have an overbearing impact visually, given the presence of existing building lines, boundary treatments and built environment. The proposal by way of built form, scale, massing, and height would be appropriate the context of the immediate streetscapes assessed. An assessment of the visual appraisal provided by the agent shows that there would be no significant detrimental visual impact when assessing the proposal from a selection of 'Protected Skyline Views' each with a visual link to the site, and key views to the site from close proximity.

Given the findings of the Protected Skyline Views assessment, the proposal is compliant with LDP policy Des 11 as the proposed dwelling by way of built form, scale, massing, and height would not result in any adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or landscape setting of the city, including the Firth of Forth.

The proposal is compliant with LDP policy Des 4 as it would not have a detrimental impact on the character of the wider townscape, with regards to spaces between the buildings, position of the buildings and other features on the site and how the site is viewed in the immediate proximity.

Design Solution-

The new dwelling proposed would utilise high-quality materials including zinc cladding and roofing, and panels of white brick framed in steel for the external fabric. The modern, contemporary design approach would create a point of interest on the street scene. The proposed design solution in the context of the site and immediate townscape is considered acceptable and would not damage the character or appearance of the surrounding built environment or townscape.

Plot Ratio-

On review of the plot ratio, the increase in built footprint associated with the replacement dwelling would not constitute overdevelopment of the site. From the plot ratio analysis undertaken by the agent as part of the assessment, the proposed dwelling would by way of built footprint occupy 13% of the overall site area due to the large plot size. From a wider review of the plot ratios present along Braid Hills Approach, this figure is not considered high.

In regard to achieving an acceptable plot ratio, the proposal broadly complies with LDP policy Hou 4 as an acceptable density of development will be achieved.

Proposed Demolition-

Due to the varied nature of design approaches which form the character of the street and wider townscape, a range of design approaches can be supported subject to other policy considerations. In this respect there is a variety of designs present within the surrounding residential streets, and the character of the area is mixed and not defined by a unified architectural style. In this context, the demolition of the bungalow is acceptable, subject to an appropriate high-quality replacement dwelling being progressed.

Removal of the existing bungalow and addition of this modern dwelling will read as a clear, visible change on the street. The new dwelling will not reflect the mixed townscape characteristics regarding its form and materials. However, as a distinguishable, modern design concept there is no requirement to replicate the appearance of the mixed design approaches present elsewhere on the street.

Overall, the introduction of a high-quality, innovatively designed modern house will add interest to the existing variation of architecture, which is currently evident along the street.

The proposal therefore complies with the overall objectives of relevant LDP design policies.

A condition has been added for full details of the external materials to be submitted prior to works starting on-site.

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.

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.

Amenity of Future Occupiers-

Edinburgh Design Guidance (EDG) states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved. Further, that people value the ability to look outside, to gardens, streets, or more long-distance views.

Additionally, EDG requires provision of well defined, functional, good quality private gardens to all houses and ground floor flats. EDG refers to spaces having different sunlight requirements, however generally half the area of gardens should be capable of receiving sunlight for more than two hours during the spring equinox.

The EDG requires a minimum internal floor area of 91 sqm for three bedrooms or more with enhanced storage designed for growing families.

The dwelling will cater for a good quality residential environment, supported by the size of windows which will allow good levels of light and outlook internally, as well as ease of movement internally per the proposed layout. Internally, the 91 sqm requirement will be met.

The front and rear gardens are generously sized allowing good levels of sunlight to be received. The remaining extent of private amenity space to support the proposed dwelling is acceptable in relation to the provisions of LDP policy Hou 3.

The position of the dwelling will be compatible with the spatial pattern of the street. This will allow a level of privacy for future occupiers that is characteristic of the area.

In regard to future occupier's amenity, the proposal broadly complies with LDP policy Des 5 as an acceptable living environment will be achieved.

Neighbouring Occupiers-

The Edinburgh Design Guidance states buildings should be spaced out so that reasonable levels of daylight to existing buildings are maintained.

The layout of buildings in an area will be used to assess whether proposed spacing is reasonable.

Sunlight to neighbouring gardens can be tested by checking whether new development rises above a 45-degree line drawn in section from the site boundary. Daylight to gables and side windows are generally not protected.

Furthermore, the pattern of development in an area will help define appropriate distances between buildings and privacy distances.

As part of the assessment the scheme was revised and the proposed dwelling position within the site was amended with the dwelling position moved by 4 metres west within the site, and the overall height reduced by 1.5 metres to address concerns raised over potential detrimental impact on residential amenity on the closest neighbouring residential property at 7 Braid Hills Approach.

Sunlight Provision-

A review of the levels of sunlight which would reach the private garden ground of the nearest neighbouring residential property at 7 Braid Hills Approach as a result of development has been undertaken. Due to the extent of useable garden ground associated with 7 Braid Hills Approach, the extensive tree coverage present along the shared eastern boundary, and the separation distance of 9.7 metres from the proposed dwellings northeastern elevation to the main rear elevation number 7, there would be no significant loss of sunlight to the rear useable garden ground of 7 Braid Hills Approach.

Daylight-

An assessment of daylight provision to the nearest neighbouring residential property at 7 Braid Hills Approach was undertaken. The daylighting analysis covered several months and seasons and included timings throughout the day to provide a full overview of daylight levels. In reviewing the daylight assessment findings, the proposed dwelling would not result in a detrimental loss of daylight to the nearest neighbouring residential property at 7 Braid Hills Approach. When assessed in the context of levels of daylight currently experienced by the occupants of 7 Braid Hills Approach given the existing bungalow on site, the orientation of the proposed dwelling within the site and separation distance to the closest neighbouring property, analysis ensures that there would be no significant detrimental impact on daylight provision to 7 Braid Hills Approach.

Overlooking-

In considering any potential overlooking associated with the new dwellinghouse an assessment of the relationship between the proposed and nearby existing residential properties has been undertaken, specifically the presence of the proposed terrace sections and outlooks, levels of fenestration, orientation of the proposed dwelling within the site and the presence of boundary treatments and level of screening present.

Outlooks west from the site cover the existing garden ground associated with 4 Braid Hills Approach. A separation distance of 17.1 metres lies between the closest point of the proposed western elevation and shared boundary with 4 Braid Hills Approach. When combined with the separation distance between the eastern elevation of 4 Braid Hills Approach and the shared site boundary there exists a total separation distance of 30.88 metres. The change in levels between the site and neighbouring property at 4 Braid Hills Approach, combined with the level of screening afforded by the natural boundary along the shared western elevation are considered sufficient mitigation against any unacceptable level of overlooking. The factors outlined above would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the living room at second floor and bedrooms at third floor level, and terrace section proposed on the west elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with 4 Braid Hills Approach.

Outlooks northeast from the site cover the existing and nearest neighbouring residential property at 7 Braid Hills Approach. A separation distances of 9.7 metres lies between the closest point of the proposed north-eastern elevation and the shared boundary with 7 Braid Hills Approach. Taking into account the revised proposal which included the re-orientation of the building footprint a further 4 metres off the shared boundary with 7 Braid Hills Approach, and the setback distance of just under 3 metres from the front facing building line of the proposed dwelling from the principle rear elevation of 7 Braid Hills Approach, these elements would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the living room at second floor and bedroom at third floor level (window openings are limited along the eastern elevation), and terrace section proposed on the north-eastern elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with 7 Braid Hills Approach.

Outlooks south from the site cover several of the existing neighbouring residential properties located along Bramdean Rise. Separation distances, 18 to 23 metres lie between the closest point of the proposed southern elevation and shared rear boundaries of the properties located along Bramdean Rise. There would also be a separation distance of between 9.7 to 13.9 metres from the edge of the proposed terrace section above the hobby room proposed on the southern elevation and shared rear boundaries of the properties located along Bramdean Rise. The change in levels between the site and neighbouring properties at Bramdean Rise, combined with the level of screening afforded by the natural site boundary along the shared southern boundary are considered mitigation against any unacceptable level of overlooking. The factors outlined above would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the play and family rooms at second floor and bedroom at third floor level, and terrace section proposed on the south elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with the properties located along Bramdean Rise.

The orientation of the replacement dwelling within the site coupled with the separation distances to neighbouring residential properties (4 Braid Hills Approach to the west, 7 Braid Hills Approach to the east and the Bramdean Rise properties directly south), level of natural screening in place on existing shared boundaries, ensure that no primary rooms in neighbouring residential properties, or private amenity space would be overlooked to an extent deemed to be detrimental.

In regard to neighbours' amenity, the proposal complies with LDP policy Des 5.

Sustainability

Policy Des 6 (Sustainable Buildings) states permission will be granted for new development where it is demonstrated that:

- a) current carbon dioxide emissions targets have been met
- b) features are incorporated to reduce or minimise environmental resource use.

Supporting paragraph 156 states this policy applies to all development involving one or more new buildings.

Paragraph 158 states that to meet criteria a) proposals for new development must accord with current carbon dioxide emissions reduction target (as set out by Scottish Building Standards).

In regard to the new dwelling and criteria a), there are minimum standards in relation to energy and sustainability that have to be met and assessed through submission of any subsequent Building Warrant.

In regard to b), the design of the new dwelling has a focus on sustainability. The supporting statement references the new dwelling's exclusion of gas as a power source or any other carbon releasing fuels, and inclusion of an integrated solar array (with an annual generation of 10,277 kwh) to generate renewable energy. The main energy source for the dwelling will be from boreholes linked to ground source heating via a heat exchanger. In addition, large, glazed openings are included throughout to increase the levels of natural light available internally.

In this regard, the design of the building aims to produce a highly sustainable, modern building which complies with objectives of policy Des 6 of the LDP.

Transport

Car Parking-

LDP policy Tra 2 (Private Car Parking) set out the requirements for private car parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

LDP policy Tra 4 (Design of Off-Streetcar and Cycle Parking) gives design considerations for car parking. These include a preference for basement level parking, and not at street level where at the expense of an active frontage onto private open space. In addition, that the design should not compromise pedestrian safety.

The site is identified within the Edinburgh Design Guidance Parking Standards as being in Zone 3 where there should be a maximum car parking provision of 1 space per dwelling. A new vehicular access to the site is proposed. The proposed paved area to the rear of the property at the end of the access road has one car parking space detailed. The size of this area has potential to accommodate an additional car. The proposed car parking provision slightly exceeds that currently in place on site, and there is no net impact from the scheme in terms of encouraging private car use.

The accessibility to public transport is commensurate with existing levels in this residential area.

Lothian Bus service 15 is an approximate eight-minute walk away onto Pentland Terrace which provides access into the city centre. The local centre on Comiston Road is accessible in a 16-minute walk or 13-minute bus journey via Lothian Service no.11.

The continued residential use on-site will help support these local facilities.

The Council's Transport team has been consulted on the revised proposals and have raised no objection. The level of parking proposed on site is acceptable in order to serve a private domestic dwelling in this case, taking account of the existing provision of car parking on site.

No specific road or pedestrian safety issues are raised.

Cycle Parking Provision-

LDP policy Tra 3 states permission will be granted where proposed cycle parking and storage complies with standards in Council Guidance.

Edinburgh Design Guidance states for houses with four or more habitable rooms 3 cycle spaces should be provided.

LDP policy Tra 4 refers to design considerations for cycle parking including its location nearer to building entrances than car parking and considerations of council guidance.

EDG states long-stay provision will be required in residential development where focus should be on location, security, and weather protection. Short stay should be convenient and accessible - near entrances with preferably step free access.

No designated cycle parking has been included as part of the proposal however there is adequate space to accommodate parking for three cycles on-site within the proposed ancillary hobby room. A condition has been included for full details of cycle parking to be submitted, approved, and installed prior to first use of the new dwelling.

Ecology

Policy Env 16 (Species Protection) refers to development not being to the detriment of protected species.

An Ecological Survey was submitted in support of the proposals. The survey findings advised that the existing building was assessed as having moderate suitability for roosting bats. Based on these findings, further survey work to assess bat presence was recommended. Subsequently, a Stage 2 Bat Activity Survey covering June to July 2022 followed. The Stage 2 Survey consisted of two sunset surveys based on results of a preliminary roost assessment. The surveys noted one species of bat being recorded in flight, and that no bat roosts were identified during the survey, meaning no further survey work was recommended.

Updated surveys would be required should work not commence within 18 months of this survey and the applicant should be mindful of this.

Should roosting bats be discovered at any time during demolition, work must stop, and Nature Scot be contacted for advice. A bat licence may be required in line with the proposed works on site.

In light of the above, the proposal complies with LDP policy Env 16.

Protected Trees

LDP policy Env 12 (Trees) states development will not be permitted likely to have a damaging impact on protected trees, or trees worthy of retention unless necessary for good arboricultural reasons.

Edinburgh Design Guidance (EDG) states that design considerations for new development should include consideration of factors including impact of trees on daylight, shading of buildings and open spaces.

The submitted Arboricultural Report states that five Category C trees (Nos 0352, 0353, 0346, 0347 and 0357) are proposed for removal in order to facilitate the development of the site. The trees on site are not protected by a Tree Preservation Order, nor does the site lie within a Conservation Area.

On review of the proposed mitigation measures outlined, a tree protection zone is proposed on site comprising tree protective fencing encapsulating remaining tree clusters in the northwest, southwest and southeast corners of the site. A planning condition has been attached to this permission to ensure full details of the tree protective zone are submitted for review prior to any works commencing on site.

The proposal will result in the loss of several Category C trees deemed as being of low to moderate quality, and in this instance their removal is deemed acceptable in order to facilitate the proposed development.

In light of the above, the proposal is acceptable per the provisions of LDP policy Env 12.

Flooding and Drainage

Policy Env 21 (Flood Protection) states permission will not be granted for development that would increase flood risk.

As evidenced by the SEPA online flood maps, the site is not located within an area of flood risk from river or surface water-based sources.

A Drainage Strategy Report has been submitted as part of the planning application.

This information has been reviewed by the Council's Flood Planning Team and no objections have been raised subject to inclusion of a planning condition. The proposed condition attached requires confirmation from Scottish Water showing acceptance of the proposed surface water discharge rate to the combined network.

The proposal has been designed to mitigate against the risk of future flood risk and complies with policy Env 21.

Conclusion in relation to the Development Plan

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result.

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 complies with Paragraph 29 of SPP.

Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Exclusion of gas and fossil fuel heating, solar array, ground source heat pump and natural light and ventilation.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time 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

Seventy-nine representations have been received.

Sixteen representations have been received in support and Sixty-three representations have been received in objection to the proposal.

A summary of these representations is provided below:

representations in support-

- High quality design
- Sustainable design and building technologies
- Enhance streetscape
- Increased level of accessibility
- Increase availability of housing

material objections-

- Adverse impact on streetscape by way of proposed design:
Addressed in section a) Design
- Adverse impact on the existing skyline of the city and key views:
Addressed in section a) Design
- Adverse impact on the character and appearance of area:
Addressed in section a) Design
- Adverse visual impact: Addressed in section a) Design
- Adverse impact on privacy: Addressed in section a) Amenity
- Adverse impact on daylight and sunlight: Addressed in section a) Amenity
- Road and pedestrian safety issues: Address in section a) Transport
- Environmental impact of demolition: Addressed in section a) Sustainability
- Impact on wildlife: Addressed in section a) Ecology
- Overdevelopment of the site: Addressed in section a) Design

non-material considerations-

- Structural safety associated with high winds given elevated site position
- Structural integrity of the surrounding area resultant from land disturbance associated with development
- Adverse impact from construction activities
- Radio coverage blockage
- Impact on house prices
- Loss of views
- Inclusion of reflective materials in design

Conclusion in relation to identified material considerations

The material considerations support the presumption to grant planning permission.

Overall conclusion

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Prior to the commencement of the development a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority; Note: samples of the materials may be required.
3. Prior to the commencement of the development a detailed specification, including a manufacture details for the solar array shall be submitted to and approved in writing by the Planning Authority; Note: samples of the materials may be required.
4. Prior to the commencement of development, full details of all hard and soft Surface, Boundary and Landscaping treatments, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. All hard and soft landscaping to be completed within six months of the occupation of the development hereby approved.
5. Prior to the commencement of the development details of the fully enclosed secure cycle stores shall be submitted to and approved in writing by the Planning Authority. The cycle stores shall thereafter be implemented prior to the first use of the approved dwelling.
6. Prior to the commencement of the development confirmation that Scottish Water have accepted the proposed surface water discharge rate to the combined network shall be submitted to and approved in writing by the Planning Authority.
7. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. For the planning authority to consider this matter in detail.
5. In order to provide appropriately designed cycle storage for future residents.
6. In order to provide appropriately designed drainage infrastructure for the development and site.
7. In order to safeguard protected trees.

Informatives

It should be noted that:

1. 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.
2. 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.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 24 February 2022

Drawing Numbers/Scheme

01A - 14A, 15

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Jay Skinner, Planning Officer
E-mail: jay.skinner@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

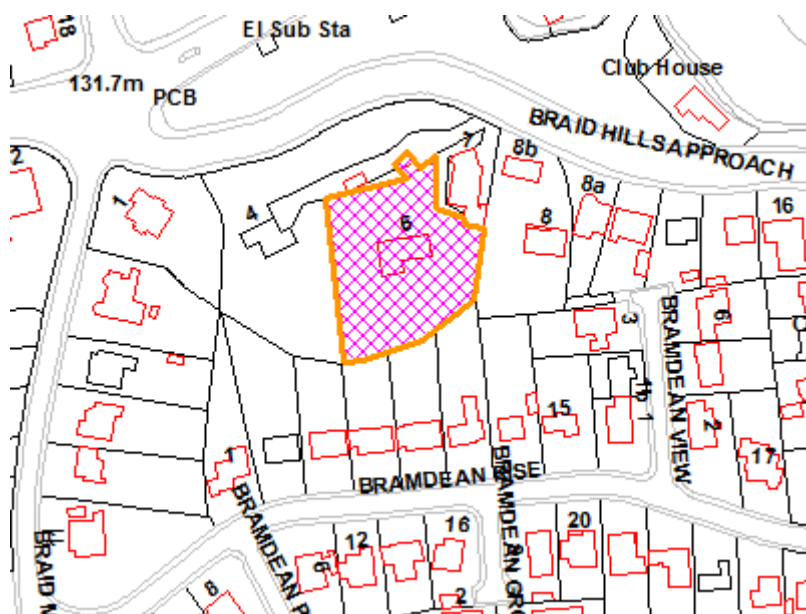
NAME: Natural Heritage
COMMENT: No objection to the proposal.
DATE: 9 January 2023

NAME: Transportation
COMMENT: No objection to the proposal.
DATE: 16 January 2023

NAME: Flood Planning
COMMENT: No objection to the proposal subject to inclusion of a condition.
DATE: 9 January 2023

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

Location Plan



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