

Development Management Sub-Committee Report

Wednesday 24 January 2024

**Application for Planning Permission STL
Totley Wells Grange, Westfield, Totley Wells.**

Proposal: Stationing of three shepherd's huts for short-term holiday let use.

**Item – Local Delegated Decision
Application Number – 23/02466/FULSTL
Ward – B01 - Almond**

Reasons for Referral to Committee

Given the significance of the issue of short term lets (STLs) to the public interest at present, the Chief Planning Officer considers this application should be decided by Committee.

Recommendation

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

Summary

The proposal is acceptable with regard to impact on residential amenity and the character of the area and is acceptable for tourism-related development. It complies with NPF 4 policy 30(b) and the Edinburgh Local Development Plan (LDP).

SECTION A – Application Background

Site Description

The application site is vacant garden ground and part orchard at Totleywells Grange, Westfield which is 2 km south west of South Queensferry. The site is just within the City of Edinburgh boundary and is accessed via a single track road off the B8020 which links Duntarvie Castle with South Queensferry. The application site is immediately west of Totleywells Grange House which is the subject of planning application 23/02467/FULSTL for change of use from dwelling house to short-term let use.

The existing vehicular access on to the main road is currently shared between Totlewells Grange House (and garden) and the adjoining equestrian centre to the west. Planning consent was granted for an upgrade to the equestrian centre in July 2023 (plan reference 22/05262/FUL) and once this upgrade is completed the equestrian centre will have its own access further west and the existing access will serve primarily the application site and the proposed STL use at Totlewells Grange House.

The site lies within the Countryside Policy Area in the LDP.

Description of the Proposal

The application is for the stationing of three shepherd's huts. Each hut is 6 metres (length), 2.4 metres (breadth) and 3.4 metres (height). Each hut has a double bed/kitchen area and shower room/toilet with a double door entrance. The huts will be built off-site and put in place on a pre-prepared base. They will be made of sustainably sourced timber and will be raised from the ground and accessed via three steps. Each hut will be insulated and will be serviced by a new solar panel powered heat pump system. There is a communal area adjacent to the huts which has a seating area with a firepit.

The site is partly within an orchard. As part of the development, the orchard will be improved with trees cared for and replaced if required, and new planting undertaken to fill gaps in the existing hedgerow. There is a hut to the west of the garden ground which is used in association with the orchard.

There are six vehicle parking spaces serving the site. One electric charging point and cycle storage will be provided specifically for the shepherd's huts.

Supporting Information

Planning Statement
Economic Impact Study.

Relevant Site History

23/02467/FULSTL
Totlewells Grange
Westfield
Totlewells
Broxburn
EH52 6QJ
Change of Use from dwelling to short-term let (Sui Generis)

Other Relevant Site History

22/05262/FUL

Demolish existing horse stables and derelict house and build new upgraded horse stables (as amended), at Westmuir Riding Centre, Totley Wells, Broxburn.

Granted 05.07.2023.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Scottish Water

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

Publicity and Public Engagement

Date of Neighbour Notification: 16 June 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 0

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

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:

- 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?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places Tackling the climate and nature crises Policy 1.
- NPF 4 Liveable Places Design, Quality and Place Policy 14.
- NPF4 Productive Places Tourism Policy 30.
- LDP Design policies Des 1, Des 4, and Des 5..
- LDP Environment policies Env 10.
- LDP Transport policies, Tra 2 and Tra 3.

The Non-Statutory Guidance for Development in the Countryside and Green Belt and Edinburgh Design Guidance are a material consideration that is relevant when considering the above policies.

Proposed Use

Policy 1 of 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 the huts being serviced by a solar powered heat pump system.

The proposal complies with NPF4 Policy 1.

The site is not within the green belt but lies within the Countryside Policy Area in the LDP. Policy Env 10 states that development in the Countryside as shown on Proposals Map will only be permitted where it meets a number of essential criteria and would not detract from the landscape quality of the area.

The reasons for the proposal requiring this countryside location is the proposed business links with the adjacent uses. A planning application submitted by the same applicant for upgraded stables linked to an equestrian business was approved in July 2023. The intention is that users of the equestrian centre would be able to stay at the huts (and the STL use which is the subject of planning reference 23/02467/FUL) throughout the duration of their stay. The huts are therefore providing on-site sustainable accommodation reducing the need for multiple journeys to and from the site. The huts are of a scale and quality which is appropriate to their use and would not detract from the landscape quality of the area.

The proposal complies with LDP Policy Env 10.

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. As the proposal is for newly built holiday accommodation, Policy 30 (b) for tourism related development, criterion i, ii, v and vi are relevant to this application. The policy states that proposals for tourism-related development will take into account:-

i) The contribution made to the local economy

The applicant has submitted supporting information which demonstrates how the proposed shepherd's huts are part of the business plan for the adjacent proposed upgraded equestrian business.

Totleywells Ltd is the accommodation partner for Totleywells Services which runs the equestrian business. Totleywells Ltd will provide accommodation (this proposal for three shepherd's huts and the proposed STL property adjacent) for visiting coaches and pupils attending training camps and clinics at the equestrian centre. Training camps for varying durations of three, five and seven days will be held for all levels of experience from beginners to advanced (including specialist equestrian training). All participants will have free time where they can explore local tourist areas.

The proposal complies with NPF 4 policy 30(b) part (i).

ii) Compatibility with the surrounding areas in terms of the nature and scale of the activity and impacts of increased visitors

The proposed shepherd's huts will be located in their own individual plot within a vacant garden area of a large single dwelling which is also the subject of a planning application for change of use to short term let accommodation.

The surrounding area is entirely rural. The nearest residential properties are 258 metres to the north east and 380 metres to the west. Consequently, there will be no detrimental effect on the living conditions and amenity of nearby residents as they are a sufficient distance away from the application property.

The proposal complies with NPF 4 policy 30(b) part (ii)

v) Accessibility for disabled people

At least one of the huts will be adapted for disabled access. The proposal complies with NPF 4 policy 30(b) part (v).

vi) Measures taken to minimise carbon emissions

The huts will be serviced by a new solar powered heat pump system. One electric vehicle charging point will be provided on site to encourage use of electric vehicles where public transport cannot be used. The proposal complies with NPF 4 policy 30(b) part (vi).

While NPF 4 Policy 30 criteria c) and e) are not applicable in this case as they are not changes of use, criterion d) is relevant. It states that proposals for huts will also be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.

The scale, design and form of the huts are considered acceptable in this location and therefore the proposal complies with good practice guidance relating to criterion d).

The proposal complies with NPF 4 Policy 30 (b) and (d).

Design and setting

The huts are modest in scale. The form, choice of materials, layout bound by existing and new tree/shrub planting will ensure that the proposed development integrates well with its surroundings.

The proposal complies with NPF 4 Policy 14 and LDP Policies Des1 and Des 4.

Amenity

LDP Policy Des 5 ensures sufficient amenity for neighbouring developments as a result of the proposal. The proposal will have no negative impact on neighbouring developments as the nearest residential properties are 258 metres to the north east and 380 metres to the west. LDP Policy Des 5 also addresses amenity for future occupiers. However, this is not relevant as the proposed use is holiday accommodation and not for permanent residential occupation.

Archaeology

The Council's archaeologist was consulted as part of the assessment of the application. There are no known significant archaeological implications in regard to this application.

Parking

There are six car parking places provided for the proposal. One electric vehicle charging point and cycle storage will be provided. The Roads Authority raise no objection to the proposal.

The proposal complies with LDP policy Tra 2 and Tra 3.

Drainage

The proposal is for new drainage arrangements to be made via a septic tank and discharging to land via soakaway. The Council's Flood Team raises no concerns over this application due to the scale and location. It also confirms it has no concerns over the soakaway proposal for the surface water run-offs. Scottish Water has no objections to the proposal.

Conclusion in relation to the Development Plan

The proposal complies with the relevant policies within NPF 4 and the LDP and is in accordance with the relevant non-statutory guidance.

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

The following material planning considerations have been identified:

Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for examination. As such, limited 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. At least one of the huts will be adapted for disabled access.

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.

Airport Safeguarding

The application site falls within the Edinburgh Airport Safeguarding Zone. Edinburgh Airport was therefore consulted as part of the assessment of the application. It confirmed that it had no objections, however an informative is attached to the permission which highlights the need for the applicant to inform the airport should a crane be involved in the stationing of the huts.

Public representations

No representations have been received.

Conclusion in relation to identified material considerations

Identified material considerations have been assessed above and do not raise issues which outweigh the conclusion in relation to the development plan.

Overall conclusion

The proposal is acceptable with regard to impact on residential amenity and the character of the area and is acceptable for tourism-related development. It complies with NPF 4 policy 30(b) and the Edinburgh Local Development Plan (LDP).

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.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

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.
3. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 12 June 2023

Drawing Numbers/Scheme

01, 02, 03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Appendix 1

Summary of Consultation Responses

NAME: Scottish Water

COMMENT: No objections.

DATE: 23 October 2023

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

Location Plan



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