



APPLICATION FOR PLANNING PERMISSION 13/00231/DPP, ERECTION OF 5 DWELLINGHOUSES AND 12 FLATTED DWELLINGS AND FORMATION OF ASSOCIATED ACCESS ROAD AND CAR PARKING; LAND NORTH OF 1 CRAIGIEFIELD CRESCENT, PENICUIK

Report by Head of Planning and Development

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** This application is for the erection of a residential development comprising 12 flatted dwellings, four semi-detached dwellings and one end of terrace dwelling. There have been 75 letters of representation, and consultation responses from the Scottish Environment Protection Agency (SEPA), Historic Scotland, East Lothian's Archaeology Service and the Council's Policy and Road Safety Manager and the Director of Education and Children's Services. The most relevant development plan policies are RP5, RP20, RP24, RP25, RP32, HOUS3, HOUS4, IMP1 and DP2 of the Midlothian Local Plan and policy HOU2 of the Edinburgh and Lothians Structure Plan 2015. The recommendation is to grant planning permission subject to conditions and securing developer contributions.

2 LOCATION AND SITE DESCRIPTION

- 2.1** The site is on the north side of Craigiefield Crescent and is 0.4 hectares. To the east is the Craigiefield House Hotel (category B listed), to the west is woodland (Bog Wood), to the south are residential dwellings, and to the north beyond a thin wedge of woodland there are playing fields within a public park. The area is predominantly residential and building heights are predominantly single storey, with some two storey houses more distant to the south. The hotel is a high two storey building. Access is from Craigiefield Crescent.
- 2.2** The site is a former Midlothian Council landscape depot. There are a significant number of small seeded and planted trees on site including leylandii.
- 2.2** The Loan Burn runs west to east across the north of the site, and is crossed by a small bridge taking a footpath from Bog Road to Bog Wood.

- 2.3 The northernmost part the site is within the designed landscape for Penicuik House, which also extends over the adjacent woodland and public park.

3 PROPOSAL

- 3.1 The proposed buildings are two and three storeys comprising five houses and 12 flats. The houses are two storeys and comprise two pairs of semi-detached houses and one end terraced house adjoining the flatted block. The flatted block is three storeys and consists of four flats per floor. The proposal is part of the Council's social housing programme.
- 3.2 The proposal comprises; three 4 bedroom houses, two 5 bedroom houses, six 1 bedroom flats and six 2 bedroom flats. The proposal also includes 27 car parking spaces.
- 3.3 One pair of semi-detached houses is positioned fronting onto Craigiefield Crescent. The remaining houses and flats are arranged in a linear formation running south to north from the rear of number 1 Craigiefield Crescent at a distance of 16 metres from this property.
- 3.4 The proposed external finishes comprise white dry dash render for the two pairs of semi-detached houses, terracotta dry dash render for the flatted block and attached terrace house, terracotta concrete roof tiles, UPVC windows and a red brick base course.
- 3.5 It is proposed to incorporate solar panels onto the west facing roof slope of the flatted block.

4 BACKGROUND

- 4.1 The applicant is Midlothian Council. Regulation 3 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 requires applications which are submitted by the Planning Authority to be considered by the Planning Committee.

5 CONSULTATIONS

- 5.1 The **Scottish Environment Protection Agency (SEPA)** has objected due to the lack of a flood risk assessment or other appropriate information. Other appropriate information would include pre and post development site and finished floor levels, appropriate photographs and/or any nearby historical flood levels information. SEPA advise that it is known that the park area around Bog Road has been subject to flooding in the past, and also there is a structure downstream which could create a blockage (Bog Road culvert) and this should be assessed.

- 5.2 **Historic Scotland** is content that the proposed development will not have an adverse impact on Penicuik House designed landscape, which is included in the Inventory of Gardens and Designed Landscapes in recognition of its national importance. It welcomes the retention of green space to the north of the development including the retention of some fine specimen trees.
- 5.3 **East Lothian Archaeological Service** has looked at the potential for remains and considers this to be low to medium. Furthermore, the land is a former depot and the trees planted in the area would have disturbed any remains. Overall the potential for archaeological remains to be impacted upon in this area is considered to be low and as such the Archaeology Service offers no comment on the application.
- 5.4 The **Policy and Road Safety Manager** has commented on the application, and has no objection in principle, but has some concerns over elements of the design. These are as follows:
- 5.5 The new access off Craigiefield Crescent should incorporate a realignment of the existing road kerb over the site frontage to bring it into line with the rest of the street. The construction of the new access will also require the relocation of a lighting column and removal of the existing drop kerb access.
- 5.6 The road accident database indicates that there have been 4 'slight' road accidents at the Craigiefield Crescent/Bog Road crossroads during the current 3-year period. Some minor re-marking measures have been undertaken at the junction and a formal road safety scheme, incorporating vertical traffic calming features is being designed. Although no date for the construction of this road safety scheme has been set, the site should not be developed prior to the scheme being implemented.
- 5.7 Core Path 2-39 runs through part of the site and as this route would be more intensively used due to the new housing. Accordingly the path should be upgraded to provide an all weather pedestrian route.
- 5.8 The existing pedestrian link from the north of the site (core path 2-39) crosses the Loan Burn via an old concrete slab bridge, providing access to the playing fields and to Bog Road. This structure is in a very poor state of repair and as this route would provide a pedestrian link to the local school the bridge would require to be upgraded to provide a safe route over the watercourse. Details of the proposed improvements should be submitted for prior approval.
- 5.9 The **Director of Education and Children's Services** has confirmed that there is no spare capacity at the catchment primary school (Cuiken), and that contributions will be required to offset this deficit. There is capacity at both Cornbank Primary (presently out of catchment) and sacred Heart RC Primary. There is spare capacity at

Penicuik High School. The standard per unit contributions will be required for the denominational high school.

6 REPRESENTATIONS

6.1 There have been 75 representations received in connection with this application. These object to the proposed development on the following grounds:

- The development is out of keeping with the character of the area;
- It will create additional traffic problems on Craigiefield Crescent and Broomhill Avenue;
- The removal of trees would be detrimental to the character of the area;
- A three storey building is not appropriate in an area of bungalows;
- The junction with Bog Road has poor visibility and will create a road hazard on an already dangerous junction;
- Overdevelopment of the site;
- Adverse impact on the setting of Craigiefield House (B listed building);
- The submitted auto track fails to take account of cars that are always parked on the street and it is therefore misleading;
- The access to the site is inclined which may lead to people leaving cars on the street in winter ;
- The site access is set back from the building line giving poor visibility to the right when exiting the site;
- The school catchment (Cuiken) is already oversubscribed;
- When the site was marketed for private sale it was for 5 houses and this was a more appropriate scale of development;
- There is inadequate space on the front elevation to accommodate an access as well as two houses;
- The positioning of the access road against the boundary of 1 Craigiefield Crescent is insensitive and leads to the loss of valuable trees and screening;
- The proximity of the building to the rear of 1 Craigiefield Crescent is too close and would be oppressive;
- There is Japanese Knotweed on the site which needs to be treated; and
- This scale of development would create an unwelcome precedent for developers to overdevelop small sites throughout Midlothian.

7 PLANNING POLICY

7.1 The development plan is comprised of the Edinburgh and Lothians Structure Plan 2015 (ELSP), approved in June 2004, and the Midlothian Local Plan (MLP), adopted in December 2008. The following are the significant policies in the MLP that are relevant to the present proposals;

- 7.2 Policy **RP5 Woodland Trees and Hedges** does not permit development that would lead to the direct or indirect loss of woodland which has a particular value in terms of amenity, nature conservation, recreation, landscape character or shelter;
- 7.3 Policy **RP20: Development within the Built-up Area** which advises that development will not be permitted where it is likely to detract materially from the existing character or amenity of the area;
- 7.4 Policy **RP24 Listed Buildings** advises that development will not be permitted which would adversely affect the character or appearance of a listed building, its setting or any feature of special or architectural or historic interest that it possesses;
- 7.5 Policy **RP25 Nationally Important Gardens and Designed Landscapes** advises that development will not be permitted which would harm the character, appearance or setting of a garden or designed landscape which is included in the Inventory of Historic Gardens and Designed Landscapes;
- 7.6 Policy **RP32: Public Rights Of Way and Other Access Routes**, protects established routes against development which could lead to the loss of a right of way, cycle path, bridleway, or other access route;
- 7.7 Policy **HOUS3: Windfall Housing Sites** advises that within the built-up areas, housing development on non-allocated sites and including the reuse of buildings and redevelopment of brownfield land, will be permitted provided that it meets a set of criteria and it accords with other relevant Local Plan policies and proposals, including policies IMP1, IMP2, IMP3 and DP2;
- 7.8 Policy **HOUS4: Affordable Housing** requires that on residential sites allocated in this Local Plan and on windfall sites identified during the plan period, provision shall be required for affordable housing units for developments over 15 units;
- 7.9 Policy **IMP1: New Development** advises that planning conditions will be applied and, where appropriate, legal agreements sought to ensure that, where new development gives rise to a need, appropriate provision is made for necessary infrastructure, community facilities and services and
- 7.10 Policy **DP2: Development Guidelines** which is a set of criteria covering design, sustainability, landscaping, open space, house layout, and parking.
- 7.11 The Edinburgh and Lothians Structure Plan 2015 **Policy HOU 2** supports the development of suitable brownfield sites for housing through redevelopment, and where appropriate higher densities will be encouraged.

- 7.12 The relevant parts of the **Scottish Planning Policy (SPP)** will also be a material consideration. This policy sets out The Scottish Government's policy on the identification of housing requirements, the provision of land for housing and the delivery of homes through the planning system.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representations and consultation responses received are material considerations.

Principle of Development

- 8.2 The site is a brown field site within the defined built up area of Penicuik and as such there is support for the principle of residential development. The Structure Plan is supportive of residential developments on brown field sites, and where appropriate it encourages high density development in urban areas. It is further advised that such development should not be at the expense of urban quality, nor should it result in overdevelopment, town cramming, or loss of urban open space.
- 8.3 For sustainability reasons, and to reduce pressures on green edge of town sites, it is important to make best use of brown field sites within towns and to permit denser developments on such sites, so long as this does not compromise the character of the area and amenity of existing residents to an unacceptable degree. This reflects the advice contained within the SPP (para. 80) which seeks more efficient use of land and buildings. It is stated that through good design it is possible to achieve a variety of forms of high-density living environments without overcrowding or loss of amenity. It is also made clear that proposals should respect the scale, form and density of their surroundings and enhance the character and amenity of the locality. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development.
- 8.4 Accessibility of the site is also an important consideration in assessing the suitability of the site for residential development. The SPP advises that in considering the appropriate location of new residential development, preference should be given to locations which can be well-integrated with existing and proposed public transport, walking and cycling networks. Such locations should be developed at higher densities.
- 8.5 There is a link proposed from the site to Bog Road and the public park, towards the high school and community facilities. The site has existing

access onto Craigiebiel. It is within reasonable walking distance of the town centre (just under 500 metres). There is a bus service on Bog Road (Lothian Buses route 37 to Deanburn). The site is therefore well placed in terms of accessibility to town centre, community facilities and public transport.

- 8.6 The redevelopment of the site for housing is therefore acceptable in principle, subject to the improvement of the pedestrian route through the site to Bog Road, and compliance with other policies of the development plan.

Layout and Form

- 8.7 The buildings proposed are a mix of three and two storeys. Concerns have been raised that this is not in keeping with the height of the surrounding dwellinghouses. The nearest dwellinghouses to the site are single storey with developed roof space. The site is however adjacent to the Craigiebiel Hotel which is a high two storey building with accommodation purpose built in the roof space. Also the site drops significantly down from the street level towards the Loan Burn.
- 8.8 The site itself is well contained by topography, existing buildings and by mature woodland and trees. It is therefore considered that it is possible to successfully accommodate a larger scale of development than exists on the road frontage.
- 8.9 The buildings have been laid out to comply with the spatial requirements of policy DP2, maintaining at least 25 metres between facing elevations (to Craigiebiel) and at least 16 metres where it is gable to rear elevation (1 Craigiebiel Crescent). The blocks are aligned perpendicular to adjoining houses, and the lack of any windows in the proposed buildings' gable elevation will ensure that there will be no loss of privacy to the neighbouring occupiers. The high hedge to the rear of the existing houses will provide some screening. The drawings indicate that the cypress hedge is to be retained at 3 metres and will be maintained.
- 8.10 The proposed materials are compatible to the adjoining listed building and the front of the building has been set back behind the building line of the hotel extension. This helps to preserve the setting of the listed building and also retain a relatively green frontage to the street.
- 8.11 In terms of private and communal open space, the dwellinghouses have rear gardens of approximately 100sqm, with the exception of the house to the rear of 1 Craigiebiel Crescent which has a 200sqm garden. This level of provision is acceptable. The useable garden space provided for the flats is 448sqm. Policy DP2 seeks a 50sqm per flat provision in terms of private amenity space. The 12 flats would therefore be expected to have 600sqm of private amenity space. The provision is therefore below the policy standard. However, the level of provision is considered acceptable because the development has a

significant area of communal amenity space within the site and is in immediate proximity to the public park to the north, via the pedestrian link, across the Loan Burn.

Access and Transportation Issues

- 8.12 The site has adequate access off Craigiebiel Crescent although the visibility to the west is poor due to the set back in the pavement alignment. The applicant will be required to bring the kerb line out so that there is a gradual change in carriageway width; this will improve the visibility.
- 8.13 The car parking layout has been designed to ensure that there is adequate manoeuvring space and the 27 space provision is significantly above the 100% required for affordable housing. The applicant has also provided cycle parking in lockable cycle storage units to the rear of the flats.
- 8.14 With regards to offsite impacts, it has been raised that the junction of Craigiebiel and Bog Road is due to be upgraded to enhance road safety. These improvements should be allowed to take place prior to this development commencing, and need to be completed prior to occupation of the development.
- 8.15 The footpath link running out of the site towards Bog Road will be an important one for pedestrians and in particular for children travelling to school. It is considered important that as part of this development, the surface between the site and Bog Road is upgraded to a suitable all weather pedestrian surface. This will also necessitate the improvement of the existing pedestrian bridge link. Details will be required by condition.

Landscaping and Drainage

- 8.16 With regards to drainage, a suitable system of sustainable urban drainage will be required and should be incorporated into the landscape proposals.
- 8.17 There is at present an outstanding objection from SEPA regarding the lack of any apparent flood risk assessment. The applicants advise that they expect to resolve this satisfactorily. However until such time as it is, the proposals cannot be granted planning permission without prior referral to the Scottish Government.
- 8.18 The site is a former landscape depot and all of the former buildings have now been removed. There are a number of self seeded trees and shrubs on site. This has given the site a noticeably green appearance. The development will remove most of the internal trees, although the larger more mature trees (two beeches and an oak) to the rear will remain. It is considered important to retain a relatively green frontage to Craigiebiel Crescent by setting back the two houses fronting the street in order to allow a hedge and trees to be planted.

- 8.19 That part of the site which lies within the designed landscape will remain undeveloped. This area will be cleared of scrub and debris and new plants and trees will be planted. These trees will provide an important feature in screening as well as providing a setting for the site. The trees will be part of a continuous screen between the park and the built up area, as well as being on the perimeter of the designed landscape associated with Penicuik House.
- 8.20 The development will have no adverse impact on the mature woodland to the west.
- 8.21 The trees growing along the entrance of the site consist of a mix of cypress trees, ornamental cherry trees and willow trees, fir and pine trees. The only tree worthy of retention in this part of the site is a semi-mature pine tree growing next to the boundary with no. 1 Craigiebiel Crescent. This will be removed to form the access road. The adjacent group of pine and fir trees are growing too close together and the individual trees have not been allowed to develop properly and have no long-term future.
- 8.22 There are trees growing along Craigiebiel Crescent, cherry and willow with a line of cypress trees behind. The cherry trees have been pruned back hard in the past and the cypress trees are multi-stemmed; these trees have limited long-term future and should be felled and replaced with new planting as part of any planned landscaping.
- 8.23 The boundary to the Craigiebiel House Hotel should be landscaped to protect the setting of the listed building.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The proposal comprises the redevelopment of a brownfield site within the settlement boundary of Penicuik where there is a presumption in favour of appropriate development. The proposed scheme of development by means of its siting, form and design also accords with the provisions of the approved Edinburgh and the Lothians Structure Plan and the adopted Midlothian Local Plan. The presumption for development is not outweighed by any other material consideration.

Subject to developer contributions towards education provision and children's play provision, the prior removal of SEPA's objection and the following conditions:

1. Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- i. existing and finished ground levels and floor levels for all buildings, open space and roads in relation to a fixed datum;
- ii. existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
- iii. proposed new planting in communal areas and open space, including trees, hedging and grassed areas;
- iv. location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
- v. schedule of plants to comprise species, plant sizes and proposed numbers/density;
- vi. programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the houses on adjoining plots are occupied. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August);
- vii. drainage details, watercourse diversions, flood prevention measures and sustainable urban drainage systems to manage water runoff;
- viii. proposed car park configuration and surfacing;
- ix. proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
- x. proposed play equipment; and
- xi. proposed cycle parking facilities;

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

Reason: To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.

2. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with

policies RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.

3. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
 - ii proposed vehicular, cycle and pedestrian access;
 - iii proposed roads (including turning facilities), footpaths, cycle ways and the required bridge across the Cuiken Burn;
 - iv proposed visibility splays, traffic calming measures, lighting and signage;
 - v a green transport plan designed to minimise the use of private transport and to promote walking, cycling, safe routes to school and the use of public transport;
 - vi proposed car parking arrangements; and
 - vii a programme for completion for the construction of access, roads, footpaths and cycle paths.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

4. Development shall not begin until details, including a timetable of implementation, of 'Percent for Art' have been submitted to and approved in writing by the planning authority. The 'Percent for Art' shall be implemented as per the approved details.

Reason: *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

5. Prior to the occupation of any dwelling within the site, details shall be submitted to and approved in writing by the planning authority for the upgrade of the footpath from the site to Bog Road, and for the upgrade of the associated footbridge across the Loan Burn, and no living accommodation within the development hereby approved shall be occupied until such time as these works have been completed.

Reason: *To ensure that the development is provided with adequate pedestrian links to public transport, to schools, and to other community facilities.*

6. The development shall not be occupied until such time as the traffic calming measures proposed for the Craigiefield/Bog Road junction have been completed.

Reason: *In the interest of road safety.*

Ian Johnson
Head of Planning and Development

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Application No: 13/00231/DPP (Available online)
Applicant: Midlothian Council Corporate Resources
Agent: Hackland+Dore Architects Limited
Validation Date: 28 March 2013
Contact Person: Kingsley Drinkwater
Tel No: 0131 271 3315
Background Papers: -