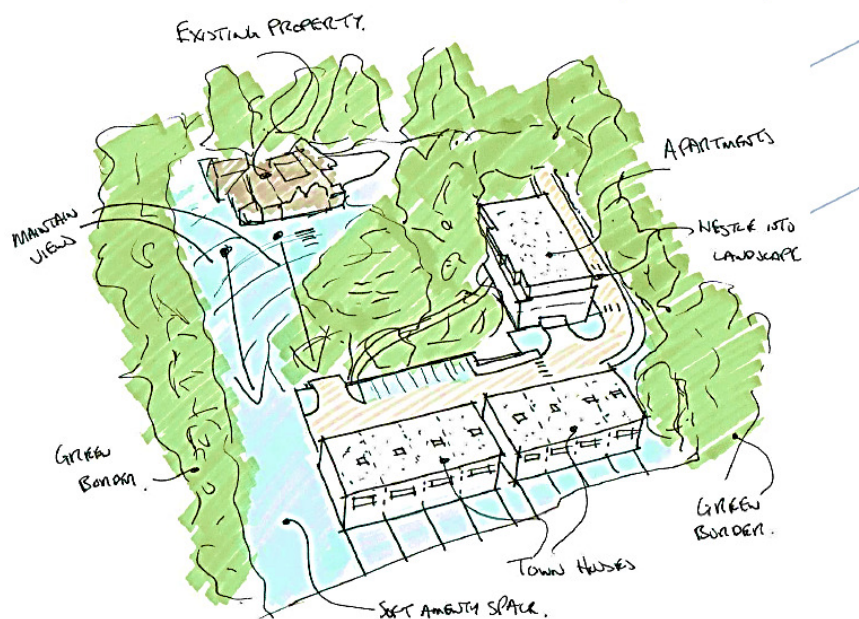


# Supporting Statement

On behalf of

The Rockshiel Trust



*Application Seeking Planning Permission for  
Proposed Residential Development of 8 Townhouses and 6 Apartments*

Land at 9 Kinellan Road, Edinburgh, EH12 6ES

**October 2021**

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## INTRODUCTION

1. On behalf of the applicant, **The Rockshiel Trust, apt planning & development** is pleased to lodge this planning application for a proposed residential development of 8 townhouses and 6 apartments on existing garden ground at 9 Kinellan Road, Edinburgh.
2. The site lies to the west of Edinburgh City Centre and within the West Murrayfield Conservation Area. It is an area typified by large detached villas alongside modern redevelopment, infill and garden ground developments.
3. The application site forms part of a large plot with **Rockshiel House** occupying the north-west part of the site. The remainder of the site consists of a sloping site from north-to-south with a man-made pond towards the south-west of the site.
4. The applicant, **The Rockshiel Trust**, owns Rockshiel House, and has long understood the potential of the site to accommodate further development. Earlier discussions with the City of Edinburgh Council also confirmed that additional, appropriately scaled and designed development could be supported.
5. The proposal is to create two high-quality terraces each consisting of four townhouses along the southern boundary of the application site and a single block of 6 apartments sited more centrally and to the east of the site, with associated parking and open space.
6. The townhouses will sit appropriately in the context of the site, being well below the level of Rockshiel House (which will effectively look-out over the top of the townhouses) and offset towards the eastern part of the site whilst ensuring sufficient distances are maintained between the proposed buildings and the existing neighbouring buildings, specifically further to the south.
7. The apartment block will fit to the front and east of Rockshiel House leaving sufficient distances to both Rockshiel House and neighbouring properties to alleviate any potential impacts. It is a large site and can comfortably accommodate the proposed development.
8. Pedestrian and vehicular access will be via the existing access off Kinellan Road (therefore not requiring any further accesses to be formed in the existing boundary wall) which will split as the new access road heads to the south whilst access to Rockshiel House continues to the west. The accompanying transportation assessment concludes that the access and surrounding road capacities etc. do not give any cause for concern.
9. The proposed development will create an attractive and appropriate addition to the residential character of this part of Murrayfield and repeat what has been achieved elsewhere in the vicinity.



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## PLANNING HISTORY

10. Applications for planning permission references **19/00082/FUL** and **20/00103/FUL** have previously been submitted for similar but larger scale development on the application site.
11. Following dialogue with Council Officials both these applications were withdrawn. Feedback expressed concerns regarding the scale of development, its design and overall dominance and massing of the proposed buildings. Further comment was made with regards to the relationship of the proposed buildings to the southern boundary and the impact it would have on the Conservation Area and existing trees on the site.
12. There was extensive dialogue with the case officer (Sonia Macdonald) with regards to these key areas of concern, and significant progress made. At the end of this process, it was agreed that any solution would be materially different that the ongoing application and it was subsequently withdrawn. This was on the clear understanding that an acceptable solution had been reached.
13. This application therefore represents the applicant's response, in tandem with a long held belief that the site lends itself to further development in the garden ground to the south of the main house.
14. Great care has been taken in reaching a design solution that creates a suite of buildings fit-for-purpose yet of a high design quality befitting the setting in the grounds of the main house, and though almost entirely invisible from outwith the site, the Conservation Area location.
15. The townhouses sit well below the level of the main house and will not impede the key southerly views from Rockshiel. They will sit below and slightly offset to the east of the main house. Similarly the apartment block is set lower than the main house, to the east of the main building and benefiting from considerable landscape screening.
16. The development does not represent over-development of the site, with both the existing and proposed properties benefitting from ample open space around the development. This has increased with reduction in the number of units now proposed.
17. The aboricultural survey has identified a number of trees in need of removal whilst key specimens have been retained both as good practice but also to help create an attractive setting for the new properties and in addressing the context of their setting in a Conservation Area and in relation to the existing house.
18. There have been a number of similar infill/garden ground developments in the very near vicinity, many of which are far more prominent than this proposal at Kinellan Road. These are referenced in the Design Statement and including the development in the grounds of the Ellersley Hotel which fronts onto Kinellan Road.

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19. As the image below clearly illustrated this development is far more intrusive than the development on the application site could ever be. The second image is the entrance to Rockshiel. You would not be able to see any level of development as you view the site.
20. Similar modern and very prominent development has been seen on Ellersly Road and Murrayfield Road, each of which encompasses very modern design within a conservation area context and within close proximity to listed buildings.
21. Each of these developments is far more visible than the current application will be.



**Completed development in the grounds of The Ellersly House Hotel and accessed off Kinellan Road.**



**Existing and retained access to application site – no development would be visible from outwith the application site.**

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**Prominent modern development either side of Ellersly Road**



**Prominent S1 Homes modern development on Murrayfield Road.**



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## PLANNING POLICY ASSESSMENT

22. For a site/application at this location and especially of this scale, it is appropriate to concentrate on local policies. In this respect the Adopted 2016 Edinburgh Local Development Plan provides an up to date policy background and we shall assess the proposals against this document in due course.
23. Before turning our attention to the LDP context, it is worth considering several key aspects of the 2014 Scottish Planning Policy and how it is relevant in the determination of this application in setting the context for local development planning and development management.

### Scottish Planning Policy 2014

24. From the outset (**Paras 1 & 2**) the SPP talks about creating high-quality places and adopting a positive approach to enabling development, making efficient use of land whilst protecting and enhancing natural resources.
25. This leads to a set of **Core Values (Para 4)** establishing that the planning service should focus on outcomes, maximise benefits and facilitate sustainable economic growth and that the service should be proportionate in its response to development proposals.
26. We contend that in the specific context of this site, a windfall, infill garden ground development, within a distinct residential context, the planning system should respond positively to the efficient use of land for residential development.
27. The **presumption in favour of sustainable economic development** is now well-established as a core value in planning. **Para 29** gives further background stating that policies and decision making should follow the (inter alia) following principles (which are relevant to this application);
  - a. **Responding to economic issues, challenges and opportunities** – the proposals would support the continued growth of Edinburgh, make a contribution to the provision of new homes at a high-quality and appropriate development site;
  - b. **Supporting good design and the Six Qualities of Successful Places** – the design solution has been extensively discussed with Council Officials and whilst we are happy to continue this dialogue, we do believe that it is an appropriate and high-quality response to the site. We assess the proposals against the Six Qualities elsewhere;
  - c. **Making efficient use of and existing capacities of land** – in permitting the development at Rockshiel, the Council would be promoting the efficient and appropriate use of land which sits amongst well-established existing residential uses and many sites that have seen very similar infill/garden ground development in recent years;
  - d. **Having regard to the principles for sustainable land use** – again in ensuring development on a site within the wider context of existing residential uses, we are promoting the sustainable and efficient use of this particular site; and

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- e. ***Avoiding over-development, protecting the amenity of new and existing development*** – the proposals are of an appropriate scale and type, responding specifically to the characteristics of the site. There would be no unacceptable impacts on the amenity of the existing residents of Rockshiel House or any neighbouring properties whilst new residents would enjoy high levels of amenity both in terms of common and private space within the site, but also as a result of developing a site with a wider range of facilities and amenities within a short (walkable) distance.
28. In directing development to the right places, we should be considering the efficient use of existing parcels of land within existing residential areas. Development of part of the extensive garden ground at Kinellan Road will not have significant detrimental impacts on the site itself or the surrounding predominantly residential area;
29. ***Paras 41-46*** looks in more detail at the **Six Qualities of Successful Places** and we have considered these below;
- a. ***Distinctive*** – the proposed development would be situated in one of the most distinctive and distinguished areas of Edinburgh and the high-quality, modern design of the proposed buildings reflects this location;
  - b. ***Safe & Pleasant*** – the proposals will create a safe and pleasant development within a wider residential context;
  - c. ***Easy to Move Around*** – the site benefits from an established access onto Kinellan Road and Corstorphine Road/Western Terrace Road to the south of the site, one of the main arteries into Edinburgh. The site itself is a relatively simple layout affording an ease of movement into, out of and within its boundaries;
  - d. ***Welcoming*** – the proposed design and layout will create a high quality, interesting and welcoming group of new homes. However on entering the site, the contours, design and layout will form a welcoming and safe environment;
  - e. ***Adaptable*** – the proposed new homes offer both new terraced townhouse homes and accessible apartments, attractive to a range of potential purchasers with the options to adapt them to their own tastes and needs;
  - f. ***Resource Efficient*** – this application seeks the efficient use of land to enable development on this garden ground/infill site. In using this land, within a predominantly residential area, it will relieve potential pressure on more sensitive sites outwith or on the edge of established residential areas. Furthermore in employing the latest construction materials and methods, the new homes will be resource efficient and fit for 21<sup>st</sup> Century living;



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30. **Paragraphs 143 and 144** reflect long established principles with regard to development in Conservation Areas stating that development should preserve or enhance the Areas character and/or appearance (also stating that if a development is deemed not to be harmful it is presumed to preserve). The application seeks development within the garden ground of an existing substantial villa in the West Murrayfield Conservation Area.
31. The evolution of the design proposals has sought to deliver a range of attractive new homes within in their conservation area context. They are a high quality design using the site topography to position the new townhouses against the southern boundary of the site to ensure that both existing and new properties sit comfortably within their new surroundings whilst adding interesting and appropriate new buildings to this area of the Conservation Area.
32. As the **Design and Access Statement** highlights, the West Murrayfield Conservation Area has experienced significant change in the relatively recent past with a number of modern developments being completed within the more established residential (and institutional) context. The proposals at Kinellan Road would be another high quality example of new development in the area, making efficient use of the land and bringing much needed new homes and apartments to the area.

### Adopted Edinburgh Local Development Plan 2016

33. The relevant Development Plan consists of the South East Scotland Structure Plan (SESPPlan) and the 2016 Edinburgh Local Development Plan. Given the size and character of the proposals and with the context of an up-to-date Local Development Plan, we have concentrated our assessment on the policies contained within the adopted LDP.
34. In establishing the principle of development at Kinellan Road (and before further consideration of specific design related policies etc.) the key policy test is provided by **Policy ENV6 'Conservation Areas – Development'**. The policy states that development will be permitted where it meets on of the criteria listed namely that it would;
  - a. *Preserve or enhance the special character and appearance of the conservation area;*
  - b. *Preserve trees, hedges boundary walls...which contribute positively to the area; and*
  - c. *Demonstrate high standards of design.*
35. As already mentioned above (and also contained within the Design and Access Statement), we contend that great care has been taken to ensure that the proposed development is appropriate to its context both in scale and appearance (style and materials).
36. In finalising our proposals due regard was given to the West Murrayfield Conservation Area Appraisal. The appraisal identifies the variety of architectural styles, often 'hidden' from public view behind large stone walls with gated entrances reinforcing the ideal of seclusion and privacy.





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37. They are typified by southern aspects with contrasting spatial characteristics between plots. There has been a gradual process of subdivision of the grounds of many of the villas which has led to new relationships being established, whilst the key characteristics remains one of free standing houses in generous plots.
38. The above aptly describes the position and character of Rockshiel House, sitting at the highest point of the site with long-views to the south towards the Pentland Hills. The new development has been positioned deliberately not to impinge on this view, whilst ensuring the original house remains on a generous plot.
39. The existing house and garden ground is mainly hidden from public view and this will remain the case, maintaining the appearance of a secluded, private space behind an imposing gated entrance.
40. We are not proposing any new interventions in the existing walls and no other neighbouring property (or beyond) will suffer any impact on visual amenity or existing views to the wider city and landscape.
41. The appraisal goes onto recognise that *'Many of these villas are important to the historical development of the suburb during the 19th century and occupy prominent locations either on corner sites or junctions or on slopes above West Murrayfield'*.
42. Despite Rockshiel House occupying a corner plot with a raised setting (affording the views as described above), its hidden/secluded setting means that it does not contribute a great deal to the wider Conservation Area (only in a two-dimensional fashion from above, a perspective never seen or experienced).
43. Rockshiel House itself is not recognised for its historic or architectural qualities nor does it sit at a prominent location being almost entirely hidden from view. When looking north from the main rail line into Edinburgh or from the Saughtonhall area you cannot see Rockshiel and you do not get any sense of its position with the area (it is just about possible to spot Rockshiel if you know exactly where it is and what you are looking for but your attention is drawn to far more prominent buildings and features such as Belmont House – Rockshiel is a tiny element of a much wider panoramic vista).
44. The proposed development will not affect this situation. The site will be no more visually prominent nor will the development detract from any existing views into the site (and potentially impacting on a key characteristic of the Conservation Area). It is acknowledged however that there remain a number of threats and pressures, which could potentially undermine the character of the Conservation Area:
  - a. *Removal of prominent mature trees without replacement planting.*
  - b. *Loss of vegetation due to subdivision of garden grounds.*
  - c. *Removal, lowering or alteration of original high stone walls.*



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- d. *Increase in traffic and parking levels on Murrayfield Road.*
- e. *Subdivision of gardens ground for residential and other developments, increasing the overall density of villa grounds and adversely affecting the character of an area based around spacious villas.*
45. The proposed development at Kinellan Road will see the removal of a number of trees (see supporting arboricultural report) many of which are dead/decaying and in need of removal and replacement. There are a number of key trees within the site, that do contribute to the setting and amenity of Rockshiel House and these will be retained and supplemented with additional planting to create an attractive new environment both for Rockshiel House and the new homes.
46. There will be no alterations to the existing stone boundary walls and the site is capable of appropriate and safe access and that the traffic generated from the development can easily be absorbed into the existing road network and traffic flows. Finally and, as outlined above, we do not believe that the sympathetic and appropriate development of this site, almost totally hidden from public view, will have any detrimental impact on the character and setting of the West Murrayfield Conservation Area
47. **Policy DES1 – Design Quality and Context** – the proposals are of a high design quality and appropriate to their surroundings, taking reference from previous garden ground and infill development in the area whilst being careful to leave Rockshiel House sitting in a large plot consistent with the context of the area.
48. **Policy DES2 – Co-ordinated Development** – the development of the application site does not compromise any adjacent sites being contained within the substantial garden grounds of Rockshiel House. The proposals reflect similar infill/garden ground developments common to the Murrayfield and wider urban Edinburgh area.
49. **Policy DES3 – Incorporating and Enhancing Existing and Potential Features** – the proposed design and layout seeks to protect the key views from Rockshiel House whilst being virtually invisible from outwith the site given the site’s position, the location of development within it and the secluded nature of this specific site. Key features, such as the views from Rockshiel and the existing long established boundary walls will be retained.
50. **Policy DES4 – Impact on Setting** – the proposed new homes will be sited on the southern edge of the site and to the east of the plot and within an area of established and more modern residential development. The design and layout is appropriate in terms of form and scale and will deliver an attractive style and range of house and apartment types to the area. Rockshiel will still retain the character of a substantial villa in a secluded and extensive garden setting.
51. **Policy DES5 – Amenity** - the proposals will meet the key criteria in Policy DES 5, meeting the needs of the proposed occupiers whilst not detrimentally impacting on the amenity of existing and neighbouring residents.



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52. **Policy DES7 – Layout Design** – seeks to ensure that new development contributes to its surroundings and provides easy access within and in connecting outwith the site. The application site is well located for wider connections whilst the layout and design ensures pleasant and simple connections within the site and encourages passive security due to overlooking and external parking arrangements. The development would be similar, and in our professional opinion, better than many of the other infill/backland developments in the west of Edinburgh some of which are located in close proximity to Kinellan Road.
53. **Policy ENV12 – Trees** – as the aboricultural report concludes, and whilst a number of trees will be removed as a result of the development, many were in need of removal and replacement due to their age and condition. Key trees are being retained whilst supplementary replacement planting will be introduced to the site to complement the site and the new development. As stated, the existing mature landscape setting is an important factor in the attractiveness and marketability of the site.
54. **Policy HOU6 – Affordable Housing** – the proposal is for the development of 14 new homes. With this in mind, the applicant would like to progress discussions with regards to agreeing a commuted sum to offset the provision of on-site affordable housing and in line with similar decisions in the general vicinity and in accordance with policy HOU6. The application is supported by an Affordable Housing Statement prepared by Justin Lamb Associates.
55. **Policy HOU 4 – Housing Density** – the development will be an appropriate density for the site, not constituting over-development and reflecting similar garden ground and infill development in the surrounding area whilst simultaneously ensuring an efficient use of land in the provision of new homes.
56. The fear of **setting a damaging precedent** is often cited as a genuine concern when considering and determining applications for new homes especially in perceived sensitive locations. In this instance, the character of the site, coupled with the design response, would not set a damaging precedent should this application for planning permission be granted. The application reflects similar scales and designs of development in the area in recent years.
57. Care has been taken in the evolution of the design response to the site to reflect the location, characteristics and scale of the site and general area. Views from Rockshiel House will be maintained whilst the site is to all intents and purposes, hidden from public view. The development would be in-keeping with similar developments that have taken place/been permitted in recent years.
58. There are no technical reasons why development cannot proceed with regards to ground conditions, services and road safety. In response to the 2014 Scottish Planning Policy (promoting a positive pro-development approach to planning) and the Adopted 2016 Local Development Plan, the proposals at Kinellan Road accord with extant planning policy and advice.



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## **CONCLUSIONS**

59. This application seeks planning permission for the development of 8 townhouses and 6 apartments on land at 9 Kinellan Road, Edinburgh. The application site consists of existing garden ground relating to Rockshiel House and lies within the West Murrayfield Conservation Area.
60. This application follows two previous applications both of which were withdrawn following initial feedback from Council officials. This application follows extensive dialogue with the case officer of the previous application and specifically to address the issues previously raised.
61. Rockshiel House stands in the norther part of a substantial plot commanding views to the south towards the Pentland Hills with the remainder of the site sloping away from the house to the southern boundary. The site is almost totally hidden from public view and is surrounded by a traditional high stone wall and mature trees.
62. The proposed terrace of new homes are to be located along the southern boundary of the site whilst the apartment block will be positioned to the east of the site, both locations helping to minimise impacts on the existing Rockshiel House, neighbouring properties and the wider conservation area, though as we state repeatedly in this report, the development will not be visible from any public area outwith the application site.
63. The homes will add variety to the mix of house types in the area, offering choice in the marketplace in a very popular residential location.
64. As the Planning Policy Assessment section identifies, key policies are contained within the 2016 Edinburgh Local Development Plan. We also refer to the Scottish planning Policy (2014) and our interpretation being that that document encourages a pro-development planning system and that this particular development can easily be accommodated within the garden ground of Rockshiel given the appropriate policy support and site specific characteristics.
65. Critically, our interpretation of Policy ENV6 of the LDP highlights that the proposal would sit comfortably within the West Murrayfield Conservation Area without resulting in any harm to the character and appearance of the conservation area. We also contend that other design related policies considerations can be met.
66. There is a well-trodden path of redevelopment, infill and garden ground development in the west of Edinburgh including properties in the immediate vicinity to Rockshiel House (and within the West Murrayfield Conservation Area). Given the visually secluded setting, this proposal represents a far more appropriate solution than many other prominent developments close-by, each of which has had a very jarring impact on the setting and character of the Conservation Area.



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67. These other developments have occupied far more prominent locations, with discernible visual impacts on the conservation area yet as they have been completed, occupied and matured, they themselves become part of the evolution of the area and create new design references and development patterns.
68. Beauty is, as the saying goes, in the eye of the beholder, but it cannot be argued that the concentration and design of nearby developments have cumulatively been a positive addition to the streetscape and conservation area (attractive though they are in their own rights), whereas the site characteristics at Kinellan Road afford the opportunity to develop a highly attractive, modern development, offering a mix of accommodation options with no detrimental impact on the wider conservation area.
69. If there is no discernible impact then the setting character of the Conservation Area is said to be protected.
70. No. 9 Kinellan Road is slightly different as the proposed development will be hidden from public view, having little if any visual impact beyond Rockshiel House itself and even here, the long views to the south and the Pentland Hills will be retained. In terms of impacts on the Conservation Area, this proposal is far better than all the prominent infill developments also within the conservation area and in close proximity to listed buildings.
71. We therefore conclude that the principle of the new homes can be supported in accordance with Policy ENV6 of the Adopted Edinburgh Local Development Plan and associated design and amenity policies and other considerations.
72. The use of land at Kinellan Road will ensure the efficient use of land within an established residential context potentially relieving pressure for development at more visually sensitive sites elsewhere in the Edinburgh area.
73. Within the context of previous garden ground or infill development to the west of Edinburgh City Centre (and elsewhere), we believe that this application represents an appropriate and high-quality response to the site characteristics and location.
74. On this basis we contend that there is a strong, policy backed case for the development of 19 new homes on the garden ground at 9 Kinellan Road and would be delighted to discuss this further with the City of Edinburgh Council.