

Full Planning Application
at
63 Restalrig Avenue
Edinburgh
EH7 6PN

Development Quality Sub-Committee
of the Planning Committee

Proposal: Playroom in rear garden. (Retrospective application)
Applicant: Mr Singh
Reference No: 04/02307/FUL

1 Purpose of report

To recommend that the application be **GRANTED**.

2 Main report

Site description

The property forms a mid-terraced unit in a row of one-storey and attic properties. These all have similar gardens, 15m long and 5.5m wide.

These back onto a main railway line which sits in a cutting to the south.

Site history

31.03.99 - planning consent to extend house

(Note - Building Warrant for toilet in garden (PD) granted 01.04.98,
Building Warrant for playroom granted 28.01.04)

Development

The application is in retrospect for the erection of a playroom in the rear garden of the property. The playroom measures 4.8 metres by 3.5 metres. It has a pitched felt roof reaching 3.8m at its apex.

Consultations

No consultations undertaken.

Representations

Five letters of objection have been received. One letter included 4 separate signatures.

Stated grounds for objection are:

- Loss of privacy
- Loss of view to Arthur's Seat
- Impact on value of neighbouring property
- The structure is too high and large for the garden
- Noise pollution
- Use of building in the future
- Overshadowing

Policy

North East Edinburgh Local Plan

The site is within an area of housing and compatible uses, where the existing residential character and amenities will be safeguarded.

Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'HOUSE EXTENSIONS' set out the design principles against which proposals will be assessed.

Policy H7 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or the reasonable prospects of further residential development where this is an objective of the Local Plan.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the local plan?
- If the proposals do comply with the local plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the local plan, are there any compelling reasons for approving them?

ASSESSMENT

In order to address these determining issues, the Committee must consider whether:

- a) the development will have a detrimental impact on the character and appearance of the site or that of the wider area
- b) the development will have a detrimental impact on the amenity of the occupiers of any neighbouring property

a) The construction is not visible from any public street but is visible along the line of rear gardens from neighbouring properties.

If the existing small outbuildings in the centre of the garden were not present the current building under consideration would be Permitted Development.

Although the overall effect on the applicant's rear garden is to create a small collection of outbuildings, these do not take up a disproportionate area, and there is no planning reason to object to this in principle. Details of design and finishes are acceptable.

b) The development is located 1 metre off the side and rear boundaries of the property. The eaves height of the structure is 2.7 metres above ground level. As such, the proposed development does not breach the boundary daylighting criterion (43-degree rule). Overshadowing caused by the development to the neighbouring gardens is minimal and falls within policy guideline parameters. Any effect is further lessened by the garden's southern orientation.

No privacy issues arise from the proposal.

Although the structure does affect views, there are no rights to private view in planning policy.

It is recommended that the Committee approves this application.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel Peter Jones on 0131 529 3770 (FAX 529 3706)

Ward affected 38 -Restalrig

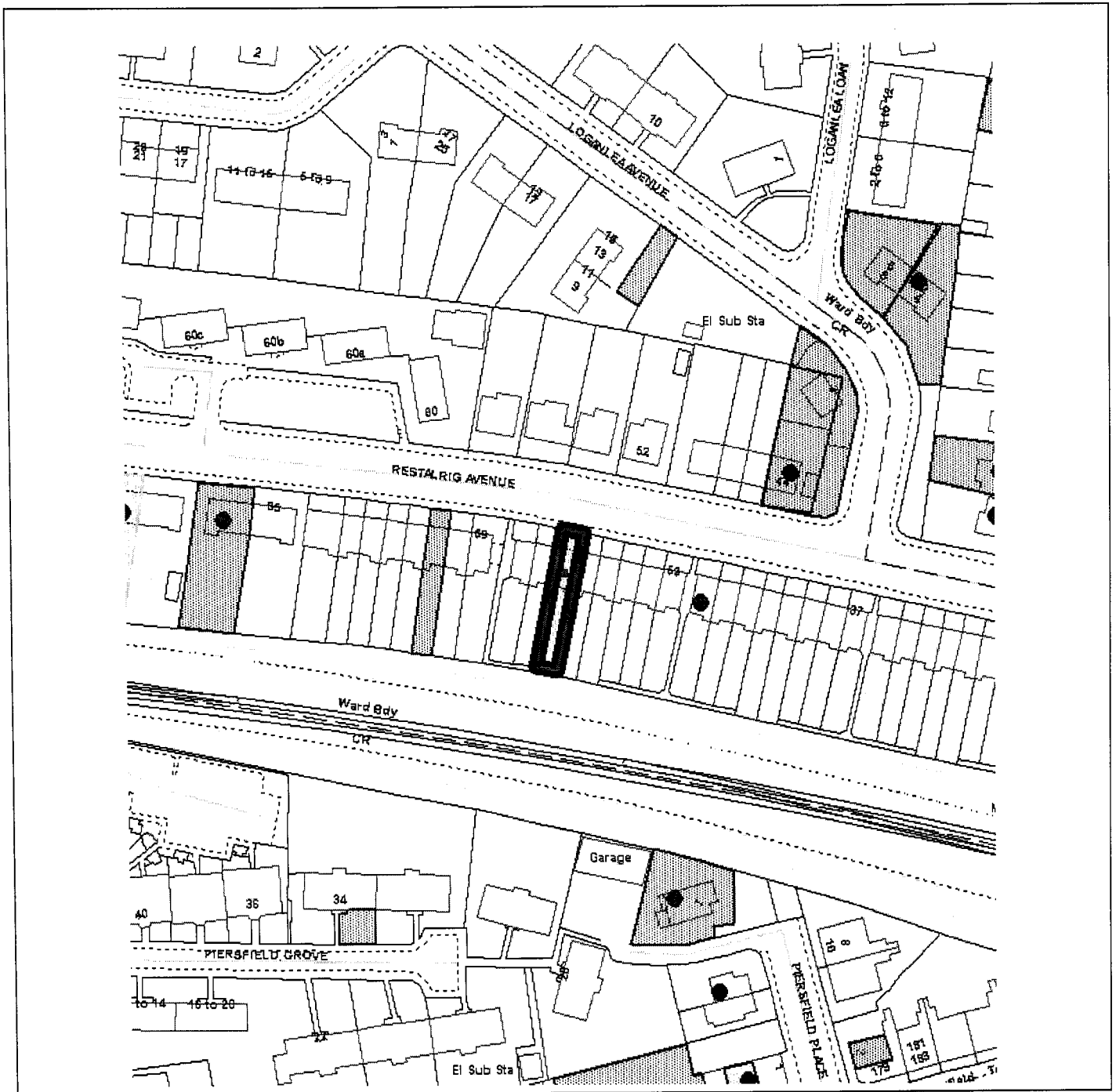
Local Plan North East Edinburgh

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 17 June 2004

**Drawing numbers/
Scheme** 1
Scheme 1



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PLANNING APPLICATION

Address	63 Restalrig Avenue, Edinburgh, EH7 6PN		
Proposal	Playroom in rear garden. (Retrospective application)		
Application number:	04/02307/FUL	WARD	38- Restalrig
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			