

**Full Planning Application
at
18 Forbes Road
Edinburgh
EH10 4ED**

**Development Quality Sub-Committee
of the Planning Committee**

Proposal: New french door to rear
Applicant: John Maciver.
Reference No: 04/00126/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The French doors and associated window hereby approved shall be painted white to the satisfaction of the Head of Planning.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the character of the conservation area.

2 Main report

Site description

The site comprises a ground floor flatted property in a tenement block on the west side of Forbes Road. The area is characterised by a terrace of tenement blocks to the side and rear. Opposite, to the front, is the local health centre.

The property is located within the Marchmont Meadows Conservation Area. It is not listed.

Site history

The site has no previous history.

Development

The proposal is for the removal of the external wall below the applicant's rear bedroom window and the installation of timber French doors with fixed glazed window above. The proposed door/glazed panel is to be finished in timber.

Consultations

No consultations undertaken.

Representations

This application was advertised on 30 January 2004. One letter of objection has been received. The concerns raised are summarised as follows:-

- 1) the proposal will result in direct access onto the communal garden area, which will result in loss of residential amenity
- 2) the lower wall associated with the proposal is not entirely within the applicant's exclusive ownership
- 3) removal of the lower external wall could affect the structural integrity of the tenement
- 4) the applicant does not legally enjoy direct right of access from his flat onto the communal garden area

Policy

Central Edinburgh Local Plan - Housing and Compatible Uses

Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Policy CD20 (WINDOW ALTERATIONS) sets out different levels of control for window alterations for listed buildings, non listed buildings in conservation areas and non listed buildings in defined areas of window control.

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

Non-statutory guidelines on 'WINDOW ALTERATIONS' supplement local plan conservation and design policies, providing additional guidance on window alterations.

3 Conclusions and Recommendations

The determining issues are;

- do the proposals preserve or enhance the character or appearance of the conservation area? there being a strong presumption against the granting of planning permission if this is not the case;
- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- if the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to take account of the following specific considerations:

a. whether the proposal will preserve or enhance the character and appearance of the conservation area

b. Whether there will be any adverse affect on the residential amenity of neighbouring properties.

a. The character of the conservation area is summarised in the local plan as follows;- The existing Marchmont conservation area comprises an area of tenement housing, mostly in the Scots Baronial style, developed from a single large estate in a planned and regulated manner. David Bryce prepared the original plans in 1869; they were taken over and completed by A Watheston and Son in 1876. Development commenced in 1877 and was completed by 1915. The success of the scheme is in the diversity of detailing contained within a carefully controlled development; the richness of its buildings has been recognised by the recent widespread listing that has taken place in the area. The main threats are lack of maintenance and the unsympathetic repair of buildings.

The extended conservation area is focused on the Meadows and Bruntsfield Links and includes many of the buildings that surround and define these open spaces. These include the Royal Infirmary of Edinburgh, mostly late 19th Century with unsympathetic additions, and Victorian tenemental housing fronting the Meadows at Lonsdale, Leven and Glengyle Terraces. The Barclay Bruntsfield Church (Fredrick Pilkington 1864) dominates the western end of the Meadows; late Georgian villas front the Links on Bruntsfield Place leading to the Victorian tenements of Bruntsfield. A further area of Victorian tenements between Sciennes Road and the Meadows is proposed for inclusion within the conservation area.

The original height and width of the window opening will be retained. The proposed doors and associated window are of traditional appearance. The location of the proposal is on the rear elevation, out of public view. There will be no detrimental impact on the character or appearance of the property or the conservation area.

In order that the external appearance of the proposed French doors match the adjoining windows and the building to which it relates, a condition is recommended that the window/door detailing is painted white.

b) The proposal will not raise any loss of privacy issue as it merely provides access to the communal garden area. There will be no undue impact on residential amenity. This communal garden area, which also serves the neighbouring tenement properties to the side and rear, is already accessed by many of the neighbouring ground floor properties via French doors.

Those issues raised by the neighbour regarding ownership of the communal garden area, damage to the building as a result of the proposed alterations and access rights are not material planning considerations.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Ian Dryden on 0131 529 3464 (FAX 529 3717)

Ward affected 45 -Merchiston

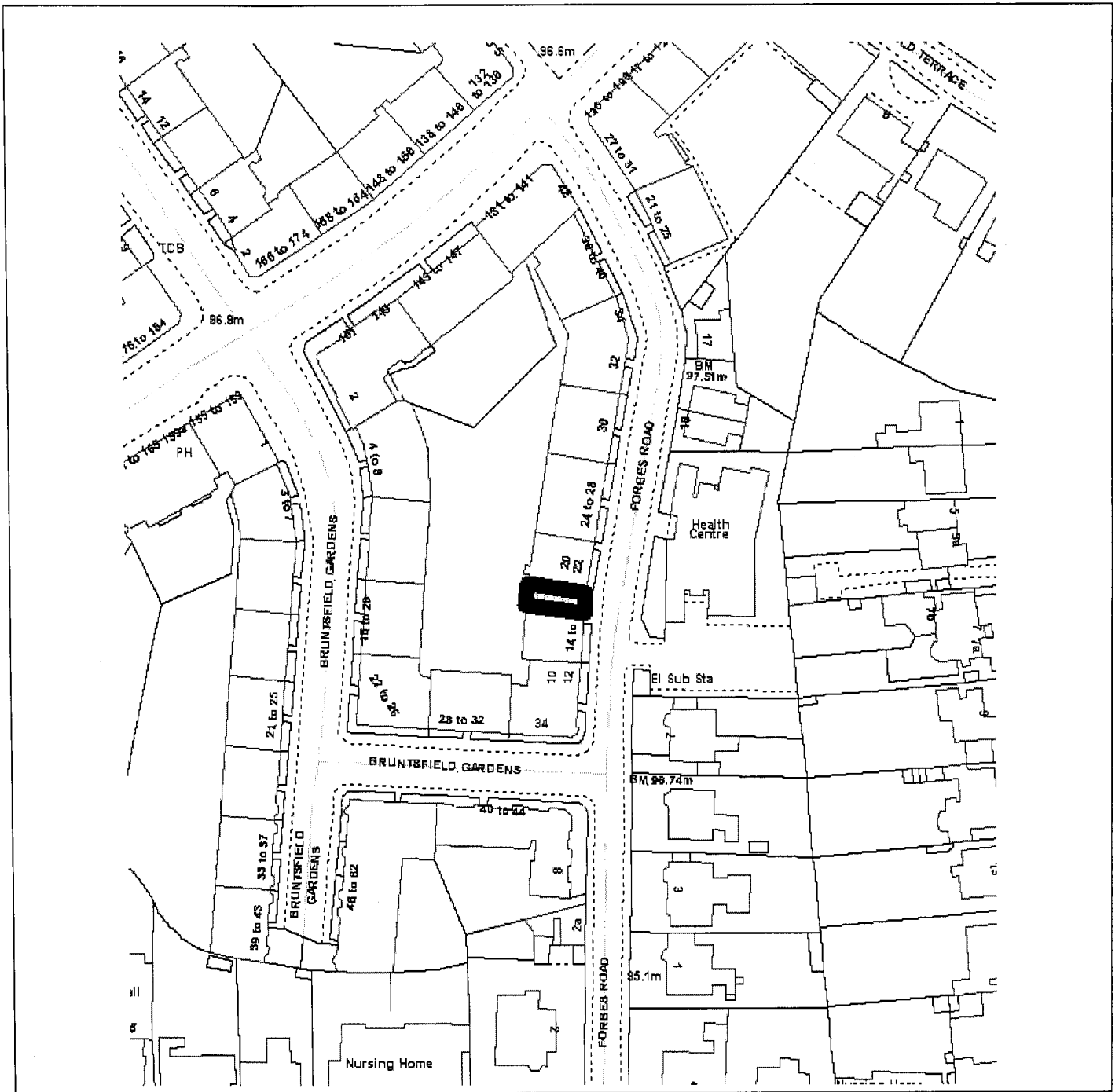
Local Plan Central Edinburgh

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

File

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Scheme 1



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PLANNING APPLICATION

Address	18 Forbes Road, Edinburgh, EH10 4ED		
Proposal	New french door to rear		
Application number:	04/00126/FUL	WARD	45- Merchiston
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			