

**Full Planning Application
at
9 Featherhall Avenue
Edinburgh
EH12 7TG**

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

Proposal: Proposed alterations to flatted block to erect porches/conservatories
Applicant: Mr A Dzierzek
Reference No: 03/04399/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 existing screening on the boundaries of the site shall be retained at all times unless otherwise agreed in writing by the Head of Planning and Strategy.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

2. In order to safeguard the amenity of neighbouring residents and other occupiers.

2 Main report

Site description

The site is currently being developed for a flatted block for the elderly. There are 2 storey residential properties to the east and south.

To the north are the rear of properties on St Johns Road.

There is a single vehicle width access from Featherhall Avenue to the site.

Site history

1963 Planning permission was granted for the change of use to retail and wholesale uses.

June 1988 Planning permission was granted for a hire centre subject to a number of conditions. (2436/87)

September 1988 Enforcement action was authorised concerning the breach of conditions concerning operation of the hire centre for domestic tools and equipment.

Appeal dated April 1990 against the issue of the above enforcement notice sustained and the enforcement notice to be quashed.

November 1991 Enforcement action authorised for the use of the premises as a bodycare centre.

May 1992 Report to Procurator Fiscal agreed concerning the unauthorised use of the premises as bodycare/ fitness centre. The Fiscal did not pursue action, but the unauthorised use did cease.

January 2000 Planning permission was refused for the erection of a flatted development for the elderly as the proposals were contrary to policy H4 in terms of its scale, density and massing would not be sympathetic with its surroundings and would be contrary to the councils guidelines on Daylighting, privacy and overshadowing.

October 2000 Planning permission was refused for a flatted block comprising 11 flats for the elderly. (00/01948/FUL)

July 2001 An appeal was allowed for the above development subject to a number of conditions including the installation of obscure glass in the 4 windows facing east, and the development being restricted to occupation of people over the age of 55.

Development

It is proposed to alter the development, which is substantially built, by providing porches and conservatories.

These would be as follows:

A detached, communal conservatory in the south west corner of the site. It would measure: 4 metres long by 3 metres wide and would have a maximum height of 2.8 metres.

An attached conservatory on the north elevation measuring 3.7 metres long (max) by 2.4 metres wide (max) by 3.1 metres high (max)

An attached conservatory on the east elevation which would measure: 2.5 metres long (max) by 3.5 metres wide (max) by 3.1 metres high (max)

An attached conservatory on the south elevation which would measure: 2.6 metres long by 1.5 metres wide with a height of 2.6 metres.

An attached conservatory on the east elevation which would measure: 2.6 metres by 1.5 metres and would have a height of 2.6 metres.

Materials: Brick, wood and glass.

Consultations

None.

Representations

Letters have been received from 3 neighbouring properties objecting to the proposals. Points raised are as follows:

1. Planning permission is for flatted development for the elderly. Occupiers must be over the age of 55 years.
2. Overlooking.
3. Overshadowing.
4. Noise.
5. Too close to my property.

Policy

North West Edinburgh Local Plan

The site is in an area for mainly residential purposes.

Draft West Edinburgh Local Plan

The site is in an area defined as Urban Area.

Relevant Policies:

North West Edinburgh Local Plan

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development

Draft West Edinburgh Local Plan

Policy DQ11 Alterations and Extensions where acceptable in principle, should be subservient and relate clearly to the original building.

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

Non-statutory guidelines on 'CONSERVATORIES' supplement local plan policies on building alterations, conservation and design, providing guidance on the design and location of conservatories.

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

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are whether:

- a) the proposals comply with the development plan;
- b) if the proposals do comply with the development plan, whether there are any compelling reasons for not approving them;
- c) if the proposals do not comply with the development, whether there are any compelling reasons for approving them.

ASSESSMENT

To address these determining issues the Committee needs to consider whether:

- a) the proposal is acceptable in terms of its design;
- b) there would be any adverse effect on the amenity of nearby property; and
- c) there would be adequate garden/amenity ground for occupiers of the properties.

a) The design of the proposed conservatories is acceptable, and would not have any adverse effect on the character of the building or the area. Materials proposed are acceptable.

b) Two of the proposed conservatories lie on the eastern boundary of the site. The detached conservatory would be approximately 3.5 metres from the southern boundary of the site. The porches would be 13 metres at their nearest point to the western site boundary.

The proposed conservatories and porches would be well screened by existing walls and fencing on the effected boundaries of the site. There would therefore be no adverse overlooking to adjoining property as a result of the development.

The proposals would not result in any adverse overshadowing to adjoining property.

There would be no undue impact on residential amenity.

c) The development proposed would take up some of the garden/ amenity area of the site. The applicant states that the total building area of the site area including the proposed conservatories would be 38.3%. This figure would not include the driveway. The main building without the proposed conservatories and porches had a site coverage of 33.4%.

The increase in take up of site area by an 5% is not considered to be a significant adverse increase in building coverage of the site.

The conservatories and porches attached to the buildings are in locations where the amenity space would be small areas which would not be of a particular value in terms of useable open space.

The detached conservatory would be in the centre of the main area of amenity space for the site. However its proposed used as a communal conservatory would also be of recreational value/amenity use for occupiers of the development. On balance therefore the proposals would not result in any adverse loss of amenity/ garden space.

The original planning consent for the flats was conditioned so that its use was restricted to people over the age of 55 years of age. This current application would not affect this original requirement, as it merely relates to the proposed extensions and the original conditions remain in effect.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Karen Robertson on 0131 529 3990 (FAX 529 3716)

Ward affected 24 -South East Corstorphine

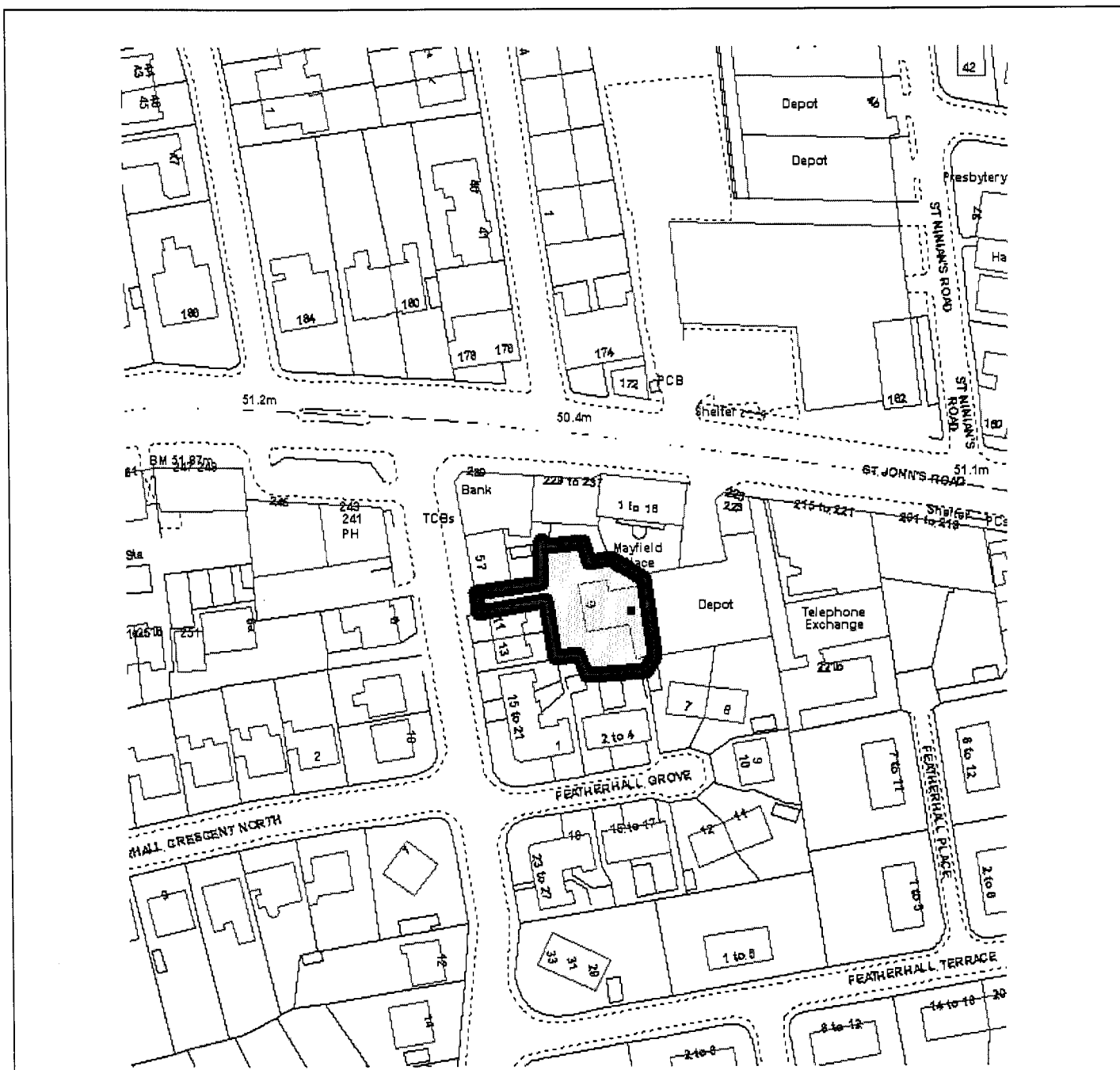
Local Plan North West Edinburgh

**Statutory Development
Plan Provision** Mainly Residential

File

Date registered 15 December 2003

**Drawing numbers/
Scheme** 1-8
Scheme 1



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PLANNING APPLICATION

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Application number:	03/04399/FUL	WARD	24- South East Corstorphine

THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY