

**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 front glazed roof housing for access stair to roof
Applicant: Mr Dzierzek
Reference No: 04/00987/FUL

1 Purpose of report

To recommend that the application be **REFUSED** for the following reasons;

Reasons

1. The proposed development due to its position, cumulative impact and resulting building height would not make a positive contribution to the overall quality of the environment and would not have an acceptable impact on its surrounding contrary to policy E5 of the North West Edinburgh Local Plan and policy DQ11 of the Draft West Edinburgh Local Plan.

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.

February 2004 Planning permission was granted for the erection of porches and conservatories at the site.

Development

The proposal involves the erection of a glazed housing for internal maintenance access stair, with an external enclosure safety rail at roof.

The glazed housing would measure 3 metres by 3 metres and would have a maximum height of 2.4 metres. This would result in the maximum height of the building to be 10.4 metres from ground level.

The protective barrier would be 800mm high and would enclose an area measuring approximately 10 sq metres.

The access stair housing would be constructed with steel frame clad with double glazed units with tinted glass.

Consultations

None

Representations

Letters of objection have been received from 5 households and Councillor Wheeler. Points raised are as follows:

1. Overshadowing/ loss of sunlight.
2. Noise.
3. Access to roof can be via a domed skylight; a staircase is not necessary.
4. Would provide a rooftop balcony for future residents.
5. Contrary to guidelines on Daylighting, privacy and Sunlight.
6. Loss of privacy.
7. Inquiry Reporter stated that the building would have a maximum height of 8.5 metres. To increase the height to 10 metres would be unacceptable.

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:

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

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 '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 plan, whether there are any compelling reasons for approving them.

ASSESSMENT

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

- a) The design of the proposal is acceptable;
- b) There would be any adverse effect on the amenity of nearby property.

a) The Reporter for the appeal on the original application for the flats stated that the scale of the building should relate not solely to the 1 and 2 storey properties to the south and west, but also to the 4 storey tenement at Mayfield Place...and that the area has a mix of buildings ranging from 1-4 storeys. Commenting on the building approved he states that the height of the block relates closely to the surrounding 2 storey properties and that this was an improvement on what was previously approved.

The proposed development would increase the maximum height of the building to 9.7 metres from original ground level. This would result in an increase of 1.2 metres in maximum height from the original planning approval. Although this would involve a relatively small section of the overall footprint of the property, it would result in an adverse overall increase in the height of the structure. The proposed development is not considered to be an essential element for the building to operate. It would further extend the building which has already been granted consent for additional glazed porches and conservatories. The resulting building would become too large and out of scale with its surroundings.

The applicant has written in with further supporting information and states that the choice of cladding material was done for aesthetic reasons as the lightweight glazed structure would be less visible. The applicant states they would be willing to accept a change of material if requested.

This would however not overcome the concern of the building being extended further in a limited plot which is already overdeveloped.

In terms of the design the proposals would not be acceptable.

b) The applicant states that the proposal is for use for maintenance purposes, although there is the possibility that the structure and enclosed outside area could be in future used by occupiers of the development.

The proposals would be more than 9 metres from the north, south and west boundaries of the site. The only boundary effected by possible overlooking or loss of privacy would be that to the east, which is in a commercial use. The Reporter conditioned the approval stating that obscure glazing be added to windows in the east elevation of the building to protect against any potential loss of privacy to this adjoining site. If the application were to be approved a condition could be added to allow it to be used only for maintenance purposes

In terms of overshadowing there would be no adverse overshadowing to adjoining property as a result of the development.

It is recommended that Committee refuses this application for the reasons stated.


Alan Henderson
Head of Planning and Strategy

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

Ward affected 24 -South East Corstorphine

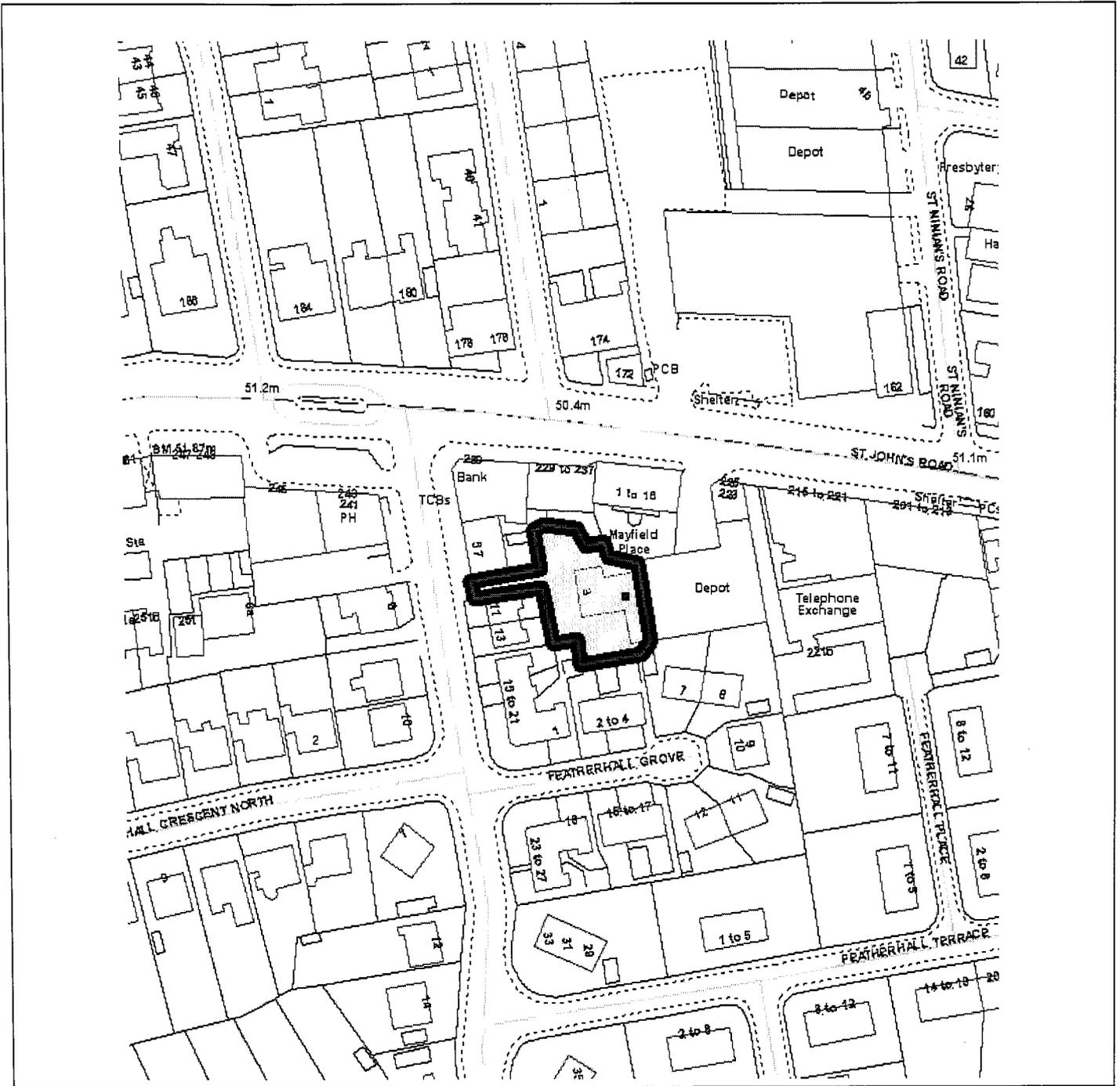
Local Plan North West Edinburgh

**Statutory Development
Plan Provision** Mainly Residential

File

Date registered 31 March 2004

**Drawing numbers/
Scheme** 1-3
Scheme 1



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PLANNING APPLICATION

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