

Full Planning Application 04/04479/FUL
at
36 Broomside Terrace
Edinburgh
EH12 7LZ

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

1 Purpose of report

To consider application 04/04479/FUL, submitted by Mr + Mrs Hutchison.
The application is for: **Alterations and extension to existing flat**

It is recommended that this application be **REFUSED** for the reasons in
Appendix B.

2 The Site and the Proposal

Site description

The property is a brown dry dash rendered lower villa within a block of four.
The garden ground immediately to the front and rear belong to the lower villa.
Beyond the paved rear garden a shared drying green separates the
applicant's garden ground from the rear garden of the flat above. The
property is located on the inside of a bend within the street and the rear
garden as a result tapers towards the back. A shed belonging to the applicant
is located within the shared drying green.

Site history

There is no previous planning history for this property.

Description of the Proposal

It is proposed to add a mono-pitched roofed dry dash rendered extension incorporating an extension to the existing lounge to the rear whilst also adding a bedroom. The proposed extension will occupy 24.1 square metres of the 26.1 square metre rear garden. A triangular section of land between the extension and boundary fence to the south east would remain. The kitchen window would be relocated from the rear to side elevation of the property.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are: -

- 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 need to consider:

- a) Whether the scale and design of the proposal are satisfactory; and,
- b) Whether or not the amenity of the neighbouring properties will be adversely affected by the proposed development.

a) The proposal occupies 24.1 square metres of the 26.1 square metres section of rear garden which is within the applicant sole ownership. The development of 92% of the applicant's rear garden ground exceeds the limit of one third set out in the Council's non-statutory guidelines on House Extensions. There would be no usable private amenity space to the rear of the property left within the applicant's sole ownership. In addition to this the shared drying green to the rear of the proposed extension has been reduced in size due to a shed being located there.

Although the design and materials are acceptable, the scale of the proposal would unduly alter the character and appearance of the area through reducing the open nature of the rear gardens. This would be compounded by the fact that the applicant's property, along with neighbouring properties, have a rear garden which tapers towards the rear, due to being located on the inside of the bend.

The agent has advised that the rear garden is not private amenity or rear garden ground but a utility space as it gets no sun and is a paved area. The Council however regards the area to be garden ground.

b) In order to facilitate the extension the existing kitchen window would be relocated to the side of the dwelling. The proposed window would overlook the side/front garden of the upper villa to the north. Given that the overlooking would be of a side garden in an area where overlooking is already prevalent the degree of overlooking is acceptable.

The proposal would not unduly overshadow the neighbouring properties due to the single storey extension only extending 3.4m into the rear garden.

The applicant highlighted a recent approval at 5 Broomside Terrace as setting a precedent for their proposal in the area. This was granted on 27 August 2004. The neighbouring example, is very similar but does have some differences in spatial terms, including a separate garden area for the upper flat. The scale of this extension is considered to unduly alter the open character of the area.

There are no material planning considerations which outweigh this assessment.

It is recommended that the Committee refuses this application as overdevelopment.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Kevin Murphy on 0131 529 3794
Ward affected	24 - South East Corstorphine
Local Plan	North West Edinburgh Local Plan
Statutory Development Plan Provision	Residential Area
Date registered	13 January 2005
Drawing numbers/ Scheme	1-4 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Helen Martin on (0131) 529 3517. Email: helen.martin@edinburgh.gov.uk

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

Representations

None received.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The proposal lies within an area allocated for residential purposes in the North West Edinburgh Local Plan area where existing residential character and amenities are to be protected. The site is similarly allocated on the Draft West Edinburgh Local Plan.

Relevant Policies:

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.

Policy DQ6 states that new development should make a positive contribution to the quality, accessibility and safety of the environment, having regard to the character, opportunities and constraints of the site and it's surroundings and the basic character of the city

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

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

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

Policy H4 requires new development to be sympathetic in scale and density with its surroundings. In conservation areas and defined "areas of interest" in particular, special care is required to protect local character and amenity.

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Conditions/Reasons associated with the Recommendation

Recommendation

To recommend that this application be **Refused** for the following reasons

Reasons

1. The proposal is contrary to Policy H4 and E5 of the North West Edinburgh Local Plan, Policy DQ11 of the Draft West Edinburgh Local Plan and the Council's non-statutory guidelines on House Extensions due to resulting in the overdevelopment of the rear garden ground to the detriment of the amenity of the applicant, neighbours at 34 Broomside Terrace and character of the area.

End

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Location Plan



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