

**Full Planning Application
at
7 Murrayfield Gardens
Edinburgh
EH12 6DG**

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

22 September 2004

Proposal: To erect a timber conservatory
Applicant: Mr + Mrs Maclennan
Reference No: 04/03007/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.

Reasons

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

2 Main report

Site description

The property is a two storey terraced house situated on the south side of Murrayfield Gardens.

The surrounding residential properties are mainly the same style as the application site.

There is a single storey flat roofed outshoot to the rear of the application property. The neighbouring property to the south has a lean-to conservatory which abuts the boundary with the application site.

The property lies within the Coltbridge and Wester Coates Conservation area.

It is not a listed building.

Site history

There is no relevant history associated with this application.

Development

The proposal is for the demolition of an outshoot to the rear of the house and replacement of this with a conservatory. The proposed conservatory will cover the face of the rear of the house at ground floor level. The conservatory will measure approximately 5.4 metres in length, 6.5 metres in width and 4.2 metres in height. The floor level will be approximately 700 mm from the existing ground level. The conservatory abuts the boundaries, therefore solid walls form the sides which will be 3.5 metres in height. The materials are Victorian style Maple light oak hardwood framed double glazing for the conservatory and stone to match/blend with existing for the base and boundary walls. The steps to the garden will be constructed on the southwest corner of the proposed conservatory.

Consultations

No consultations undertaken.

Representations

The application was advertised on 09 August 2004. One letter of objection has been received to the proposals. The points raised are summarised as follows:

1. Overshadowing
2. Loss of privacy
3. Inappropriate design

Policy

The property is located in an area identified as Housing and Compatible Uses in the Central Edinburgh Local Plan.

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.

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 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:

- do the proposals preserve or enhance the character and appearance of the conservation area? there being a strong presumption against the granting of planning permission of 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 these determining issues, the Committee needs to consider whether a) the scale and design of the proposal is acceptable in this location and preserves or enhances the character and appearance of the conservation area b) there will be any adverse impact on the neighbouring residential amenity.

a) The proposed conservatory is designed to reflect the original building and the materials will be appropriate for the conservation area. The proposed conservatory will only be higher than the existing outshoot by approximately 500mm and this will be the level of top of the window on the ground floor level. In addition, the neighbouring property to the east has a conservatory and its maximum height is approximately the same as the proposed conservatory. The conservatory will be built on a small area of the garden. Overall, the scale and size of the conservatory is acceptable for the original building in this location. The conservatory will be constructed on the rear of the property and not be visible from the main street, therefore the proposals will not be detrimental to the character and appearance of the conservation area.

b) In terms of residential amenity, the extension will result in a structure that overshadows the neighbouring property to a degree as there is a neighbour's conservatory to the east and the proposed conservatory will be constructed adjacent to this conservatory with a boundary wall. The proposed wall to the east boundary is 3 metres in length and complies with the Council's Non statutory Guidelines on Daylighting, Privacy and Sunlight so that any overshadowing is within acceptable limits. The extension is 5.2 metres deep on its west boundary. However, this is just 200mm greater than the existing outshoot and therefore does not significantly increase overshadowing to the neighbour on this side. The neighbour to the east is concerned that there will be a loss of privacy. The distance to the boundary from the conservatory (there are steps between) is 3 metres and does not comply with the guidelines. However existing planting provides adequate screening.

The proposed conservatory will cover the glazed window of the neighbour's conservatory. However the construction of the boundary wall will protect privacy which is compromised at present as there is no boundary wall between the applicant's property and the neighbour's property.

The neighbour to the east also has a concern over the future management and enjoyment of their property. Maintenance is not a planning consideration. This neighbour has also mentioned that the conservatory has been there for over fifty years and the special consideration should be applied. However, this is not a listed building and the conservatory will not be damaged by the proposal.

It is considered that the proposal preserves the character of the property and the conservation area and the proposals will have no undue impact on the amenity of the adjoining neighbours.

It is recommended that the Committee approves this application.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Wakako Hirose on 0131 529 3442

Ward affected 15 -Murrayfield

Local Plan Central Edinburgh Local Plan

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

File

Date registered 9 August 2004

**Drawing numbers/
Scheme** 01-04
Scheme 1



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PLANNING APPLICATION

Address	7 Murrayfield Gardens, Edinburgh, EH12 6DG		
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Application number:	04/03007/FUL	WARD	15- Murrayfield
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			