



Full Planning Application 05/02757/FUL
at
42 Stapeley Avenue
Edinburgh
EH7 6QP

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

30 November 2005

1 Purpose of report

To consider application 05/02757/FUL, submitted by Mr Barclay. The application is for: **Erect garage and studio**

It is recommended that this application be **REFUSED**

2 The Site and the Proposal

Site description

The property is a detached 1930s bungalow on a corner site. It has a front bay and a hipped, slate roof. The front is painted, secondary elevations are in brown pebble-dash. The property has a large hipped roof extension to the rear elevation, with hipped roof dormer projections to the rear and road facing side elevation.

The rear garden lies parallel with the Nantwich Road and there is an existing opening with a dropped kerb at the southern end of the garden adjacent to the boundary with 3 Nantwich Road, a single storey dwelling with a hipped roof. A previous single garage has been demolished on the site and ground preparations have been carried out to construct a double garage granted under separate consent.

Site history

16 February 2002 - Planning permission was granted for a 1.5-storey side extension with 3 front dormers and for a double garage at the rear. That consent was not implemented due to the presence of a major sewer which crosses the site (Ref 02/02970/FUL).

23 July 2003 - Planning permission was granted for a 1.5-storey rear extension with dormers on two of the resulting roof planes and a double garage at the rear. The double garage was reduced in size from 7.4 metres in width to 5.4 metres, at the request of planning. That alteration was made in order to maintain a reasonable amount of amenity space about the building (Ref 03/01884/FUL).

The extension has been completed on the site. Other than ground preparation works no construction has commenced on the double garage.

3 February 2005 - Permission was refused for the erection of a double garage on the ground floor and a 'studio' on the first floor. The garage had overall dimensions of 7.8 metres by 7.4 metres to a ridge height of 5.7 metres. (Ref 04/03319/FUL).

5 July 2005 - The Scottish Executive Inquiry Reporters Unit dismissed the subsequent appeal (Ref P/PPA/230/712).

Description of the Proposal

The application is for a detached, hipped roof building with rendered elevations under a slate roof. It has overall dimensions of 7.8 metres by 6.4 metres to a ridge height of 5.7 metres. The building is to provide a double garage on the ground floor and a 'studio' on the first floor. It is proposed to provide a peaked roof dormer window projection in the apex of the front elevation.

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 these determining issues, the following needs to be considered whether:

- a) The proposal will adversely affect the character of the existing building or the surrounding area; and
- b) There will be any loss of residential amenity as a result of the proposals.

a) The original grant of planning permission in 2002 authorised the erection of a single-storey, double garage located at the southern end of the garden, as a replacement for a single garage. In 2003 the form of extension to the dwelling house was altered from a side extension to a rear extension but sought to maintain the original size of garage. An amendment was sought to reduce the size of that garage, from a width of 7.4 metres to 5.4 metres, to allow for a more acceptable level of garden area. The proposal would have resulted in 4.8 metres of open garden area between the extension and the garage. This was necessary given the level of residential amenity to the occupants of the property and impact on the character of the area.

In 2004 an application was submitted for a double garage with accommodation in the roof space to facilitate a 'studio'. The garage had the same footprint as the original 2002 garage but extended the roof height to provide for a first floor in the roof space. That proposal was refused on 3 February 2005 and the applicant sought to appeal that decision. That appeal was dismissed on 5 July 2005.

This application now seeks a double garage with a slightly smaller footprint, 6.4 metres wide as opposed to 7.4 metres, but maintaining the raised roof to provide first floor accommodation. The roof design of the building has also altered from a gabled structure to a hipped, pyramidal style, in an attempt to reduce the mass and bulk of the previous garage. The Reporter had identified that the, 'dominant visual presence of the garage is compounded by the use of gables rather than hips on the roof'.

Nonetheless, that particular statement formed only a part of a wider assessment of the mass, size and appearance of the proposed garage building upon both the site and the character of the surrounding area.

The Reporter also noted that, 'the majority of the buildings in the area are understated bungalows, with relatively low pitched hipped roofs, of which relatively few have dormer extensions'. Equally, he noted that, 'the size of the extended house means that the area of remaining garden ground at the rear is restricted, and the garage as proposed would be a dominant visual presence on this, and thus out of keeping with the character of the area'. He then went on to say that, 'the latter point is compounded by the use of gables rather than hips on the roof, which apart from being out of keeping with the immediately surrounding properties, also set it apart in giving it unnecessary

bulk, which would not be satisfactorily disguised by the lowering of the ground level'.

Although the size and design have been altered, from the scheme dismissed at appeal, the new proposal would still represent a building of considerable size and presence within the site and this part of Nantwich Drive. It would still compete in size with the adjoining dwelling at No 3 Nantwich Avenue. The reduced ground levels on the site, that have been carried out in order to accommodate the building, would not sufficiently reduce the impact of the proposal from that of the size, form and mass of a small dwelling house. As a result it would introduce a building within this part of the street scene to the detriment of and altering the prevailing spatial character of this low-density residential area.

b) The proposal would result in a side to side gable situation with the neighbouring property at No 3. As such there would be no overlooking or overshadowing to the neighbour and therefore no loss of amenity resulting from the proposal.

In conclusion, the proposal does not accord with the Development Plan and will have an adverse impact upon the existing amenity of the existing property and upon the character and appearance of the area. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuse this application, for reasons relating to the adverse impact upon the amenity of the existing property and upon the character and appearance of the area.

ADDENDUM

This application was considered by the Development Quality Sub Committee on 30 November 2005, following a site visit, and was continued as the Committee was minded to grant planning permission for this application and wished to be advised of appropriate conditions.

The reasoned justification, given by the Committee for minding to grant this planning application, was that the proposal was a significant improvement on the previously refused garage, similar to an earlier approved garage and retained adequate garden ground without impacting on neighbouring amenity.

If the Committee is to grant the planning application the following conditions should be attached:

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

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

2. The garage and studio, hereby approved, shall be used solely for purposes incidental to the enjoyment of the dwelling house as such, and for no other purpose.

Reason - In order to ensure that the use of the building remains incidental to the residential use of the property, to protect the amenity of neighbouring properties and to enable the planning authority to exercise appropriate control over the future use of the building.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	John Maciver on 0131 529 3918
Ward affected	39 - Portobello
Local Plan	North East Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	15 August 2005
Drawing numbers/ Scheme	01-02 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, Graham Dixon on 0131 529 3519. Email: graham.dixon@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

Application Type Full Planning Application
Application Address: 42 Stapeley Avenue
Edinburgh
EH7 6QP
Proposal: Erect garage and studio
Reference No: 05/02757/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

Has no objection.

Representations

No representations have been received.

Planning Policy

North East Edinburgh Local Plan - The site is within an area allocated for Housing and Compatible Uses, where existing residential character and amenities are to be safeguarded.

Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

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.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED**

Reasons

1. The proposal is contrary to North East Edinburgh Local Plan Policy E25, in respect of Design of New Development, as it would result in the introduction of a building (with the size, form and mass of a small dwelling house) within this part of the street scene to the detriment of and altering the prevailing spatial character of this low-density residential area.
2. The proposal is contrary to Non Statutory Guidelines in respect of House Extensions, as it would result in 6.0 metres of open garden area between the existing house and the proposed garage reducing, to a detrimental level, the provision of residential amenity available to the occupants of the property.

End



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PLANNING APPLICATION

Address	42 Stapeley Avenue, Edinburgh, EH7 6QP		
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Application number:	05/02757/FUL	WARD	39- Portobello
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			