

Full Planning Application 05/02718/FUL
at
45 Waverley Place
Edinburgh
EH7 5SA

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/02718/FUL, submitted by Rachel Green. The application is for: **Erect timber deck at the same level as the existing ground level, in front garden (retrospective)**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The application relates to an upper colony property situated on the east side of Waverley Place. The flat's garden lies to the front of the property and is overlooked by the flat below.

The area is predominantly residential characterised by similar properties.

The property is neither listed nor lies within a conservation area.

Site history

There is no relevant planning history for this site.

Description of the Proposal

The application is retrospective and is to form a timber deck within the garden area to the front of the property. The deck measures approximately 3m x 3.7m, with a small 'finger' measuring approximately 1 m x 1.8 m to the north west corner of the site. It is raised by approximately 400mm. The deck has been erected on an existing area of garden which was partially elevated although it is slightly higher than the original garden ground.

The applicant has submitted a statement in support of their application addressing the issues raised in the letters of objection. This is available in the Party Group Rooms.

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 Committee needs to consider whether:

- a) The timber deck is acceptable in terms of visual amenity and;
- b) There will be any impact on neighbouring residential amenity.

a) Advice on decking contained within the non-statutory guideline on House Extensions and Alterations states that planning permission is required for decking in all situations except where the property is a single dwelling house. The property is a flatted colony and as such planning permission is required. In addition, there has been a number of recent planning and enforcement appeals for decking considered by the Scottish Executive Inquiry Reporters' Unit which have concluded that decking constitutes development. This is on

the basis that the decking forms a building under the definition provided within the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

A number of these Colony properties within the immediate vicinity have hard landscaping to the front garden areas including concrete paving slabs and gravel. These works did not require planning permission. The loss of a 'green' front garden is therefore not uncharacteristic of this particular area. The deck is the first example of this form of hard landscaping within the area, however, a reasonable proportion of this garden has remained 'green'. Given that so many front gardens have already been totally hardsurfaced in a variety of ways it is considered that in terms of its design and form the deck will not significantly detract from the character and appearance of the property or the area as a whole.

b) The deck covers an existing garden area which is owned by the applicant. This area of garden ground is already overlooked by the lower flat's sitting room window. The introduction of the deck will not be any worse than the existing situation in terms of privacy and as such there will not be any impact on the residential amenity of the neighbouring residents. The proposal, owing to its close proximity to the ground will not raise any overshadowing issues for neighbours. Other issues raised, including loss of value and dampness and loss of view, by the objectors are not material in the determination of this application.

It is recommended that the committee approves this application.


Alan Henderson
 Head of Planning and Strategy

Contact/tel	Emma Wilson- Wednesday, Thursday And Alternate Fridays Only on 0131 529 3634 (FAX 529 3717)
Ward affected	35 - Meadowbank
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	10 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, Ian Dryden on 0131 529 3464. Email: ian.dryden@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: 45 Waverley Place
Edinburgh
EH7 5SA

Proposal: Erect timber deck at the same level as the existing ground level, in front garden (retrospective)

Reference No: 05/02718/FUL

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

Neighbour notification was carried out on or about 5 August 2005. Two letters have been received objecting to the proposal on the following grounds:

- Loss of privacy;
- Loss of daylight;
- Detrimental to visual amenity;
- Inappropriate form of development.

Other comments made were not material in the consideration of this application.

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

Central Edinburgh Local Plan - Housing and Compatible Uses

Relevant Policies:

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 '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.

Non-statutory guidelines on 'COLONIES' supplement local plan conservation and design policies, providing guidance on alterations to Colonies housing.

Appendix B



Application Type Full Planning Application
Application Address: 45 Waverley Place
Edinburgh
EH7 5SA

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in front garden (retrospective)

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Conditions/Reasons associated with the Recommendation

Recommendation

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

End

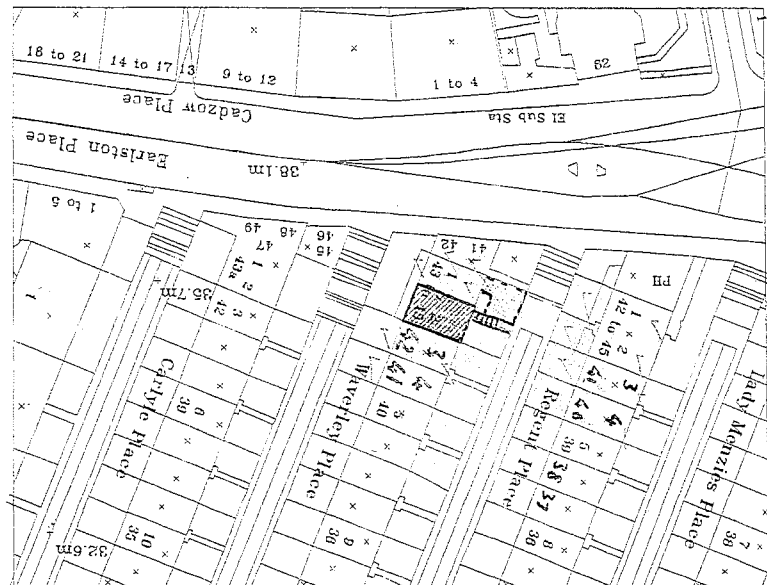
Drawn Number	635
Date	08-05

Project: PROPOSED GARDEN DECK
TO
45 WAVERLEY PLACE
EDINBURGH
LOCATION PLAN

Client: RACHEL GREEN

28 Marlboro Street
Edinburgh
EH10 5SE

Timber Bush
&
Associates
Architects



05/04/2016
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