

Full Planning Application 07/00063/FUL
at
16 PF1 Gladstone Terrace
Edinburgh
EH9 1LS

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 07/00063/FUL, submitted by Mr Tolland. The application is for: **Erection of a proposed conservatory with steps**

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

2 The Site and the Proposal

Site description

The site is a ground floor flat of a traditional four storey tenement that lies on the west side of Gladstone Terrace. The property has a small private garden to the front and also a small private garden to the rear, accessed via French doors.

The garden area to the rear is open but, unusually, it is subdivided between the individual owners rather than being communal. The gardens therefore have a number of small sheds, trees, shrubs and other ornamental features. Few of the plots actually define their boundaries. Instead the plots are marked out by a mixture of soft landscaping and foot paths. The application site is surrounded by a wooden fence which was the subject of an earlier application and appeal.

The surrounding area is predominantly residential. The property is not listed.

This property is located within the Marchmont Meadows Conservation Area.

Site History

11.07.03 - (03/01967/FUL) Consent approved in retrospect for the installation of French doors.

08.08.04 - Enforcement received an enquiry regarding the erection of a fence around the rear garden of the application site. The fence was found to be unauthorised, and the owner was advised to remove it. Despite the above, an application was submitted. The decision was taken to refuse and enforce on 10 December 2004. (ref 04/03652/FUL). A subsequent appeal was only partly upheld and the fence height had to be reduced to 1m. (ref 05/00045/REF).

Description of the Proposal

It is proposed to construct a white-painted hardwood conservatory leading from the existing French doors and with steps down to the garden. The conservatory will be approximately 4085mm wide and extend by 3258mm into the rear garden. It will have a pitched roof and a maximum height of just less than 4m. The side boundary will be constructed of stone to match existing and will be just over three metres high. The existing boundary wall (1.7m) will remain in situ.

3 Officer's Assessment and Recommendations

Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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, are there any compelling reasons for approving them?

ASSESSMENT

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

- a) the proposals will have an adverse impact on the character and appearance of the conservation area and
- b) the conservatory will be detrimental to residential or visual amenity

a) The site lies within the Marchmont and Meadows Conservation Area. The character of the conservation area is summarised in the local plan as follows:- *The existing Marchmont conservation area comprises an area of tenemental housing, mostly in the Scots Baronial style, developed from a single large estate in a planned and regulated manner. David Bryce prepared the original plans in 1869; they were taken over and completed by A Watheston and Son in 1876. Development commenced in 1877 and was completed by 1915. The success of the scheme is in the diversity of detailing contained within a carefully controlled development; the richness of its buildings has been recognised by the recent widespread listing that has taken place in the area. The main threats are lack of maintenance and the unsympathetic repair of buildings.*

The extended conservation area is focused on the Meadows and Bruntsfield Links and includes many of the buildings that surround and define these open spaces. These include the Royal Infirmary of Edinburgh, mostly late 19th Century with unsympathetic additions, and Victorian tenemental housing fronting the Meadows at Lonsdale, Leven and Glengyle Terraces. The Barclay Bruntsfield Church (Fredrick Pilkington 1864) dominates the western end of the Meadows; late Georgian villas front the Links on Bruntsfield Place leading to the Victorian tenements of Bruntsfield. A further area of Victorian tenements between Sciennes Road and the Meadows is proposed for inclusion within the conservation area.

The rear elevations and communal gardens of the tenements are not visible to the wider public. However, they are overlooked by a number of tenement flats, due to the grid pattern street form traditional to this area. Traditionally, the garden areas tend to be communal and part of tenemental living. However, in the block in which the application site is located, the gardens are formally divided in separate ownership, rather than a communal backgreen. While the area as a whole remains open in appearance, individual plots are marked with planting, paths and garden huts.

Due to the garden ground being under individual ownership, it is possible for the ground floor properties to carry out alterations which relate to their properties. One adjacent property has built a kitchen extension extending for approximately 5m into the rear garden. Although this was constructed some time ago, in the appeal submission by the council (referred to above), it was considered that the formation of extensions had been permitted in a manner where they are subordinate and in scale to the tenement block and as they do not encroach on the open character of the garden, they do not affect the character and appearance of the conservation area.

The conservatory is to be constructed of white hardwood frames with the dwarf wall and boundary wall built up in stone to match the existing building. Steps will lead down from the conservatory to the garden. The proposed materials are acceptable for use within a conservation area. Whilst conservatories are not traditional features in tenemental conservation areas, in this case an exception is justified due to the character of this particular area

and it is considered there will be no detrimental impact on the character and appearance of the conservation area.

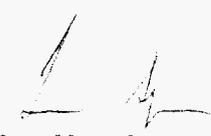
b) The rear gardens of the tenements are open in appearance and as such there is already only limited privacy for residents when using the garden. Further, it is not possible to achieve the 9m distance to boundary walls. The proposed conservatory will not greatly affect this situation even taking into account the fact that it will be slightly elevated above ground level. There are no issues of overlooking the ground floor neighbouring properties due the height of the proposed boundary wall and the location of the garden shed.

A single storey construction on the boundary and extending up to four metres into the rear garden owned by the property (or one third of the rear garden depth whichever is less) is generally acceptable under Council guidelines. The side wall of the proposed conservatory extends for 3.2m from the rear elevation. There is an existing 1.7m stone wall separating the properties and the new wall will be built adjacent to this bringing the height of the boundary to just over three metres in height. Although this elevation is set back slightly from the neighbouring property immediately to the north it will cause some overshadowing. Using the 45degree method on the vertical plane the proposal is acceptable. However, there is some overshadowing using the horizontal measurement. As the rear elevation of the property is west facing the amount of overshadowing would be minimal and is considered acceptable.

The proposed extension does not occupy more than one third of the garden ground and the residential amenity for the occupiers of the property is maintained. There are no issues relating to loss of views or light pollution for neighbouring residents.

In conclusion, the proposal will not affect the character and appearance of the conservation area and there will be no loss of residential or visual amenity. The application is acceptable.

It is recommended that the Committee approves this application.



Alan Henderson
Head of Planning and Strategy

Contact/tel	Dorothy Amyes on 0131 529 3905
Ward affected	A15 - Southside/Newington (NEW)
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	12 February 2007
Drawing numbers/ Scheme	1-2 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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 16 PF1 Gladstone Terrace
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Consultations, Representations and Planning Policy

Consultations

No consultations were undertaken.

Representations

The application was advertised on 19 January 2007. Six letters of representation were received, one of which was subsequently withdrawn.

The representations raised objections to the proposal on the following grounds:

- The proposed conservatory is not in keeping with the character of the existing building
- It would reduce the open character of the garden ground
- Set a precedent for similar developments in the area.

These issues are addressed in paragraph (a) of the assessment.

- Loss of sunlight to adjoining properties
- Loss of views from surrounding properties
- Potential for light pollution
- Loss of privacy for neighbouring properties
- Overshadowing of neighbouring property

These issues are addressed in paragraph (b) of the assessment.

- Problems of maintenance of existing building
- Construction of foundations will affect stability of existing boundary wall

These are not material planning considerations.

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 site lies within an area of Housing and Compatible Uses within the Central Edinburgh Local Plan.

In the Finalised Edinburgh City Local Plan it is within a Conservation Area.

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.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Relevant policies of the Edinburgh City Local Plan

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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 **GRANTED** subject to the conditions below.

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.

End

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Location Plan

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