

Full Planning Application
at
30 Glendinning Road
Kirkliston
Edinburgh
EH29 9HE

Development Quality Sub-Committee
of the Planning Committee

29 January 2003

Proposal: **Erection of conservatory, in retrospect**
Applicant: **Mr + Mrs Glendinning**
Reference No: **02/04472/FUL**

1 Purpose of report

To recommend that **REFUSED AND ENFORCED**
for the following reasons;

Reasons

1. The conservatory is detrimental to the character of the area and the architectural integrity of the house by reason of its scale, form and setting contrary to policies 2.69 of the Ratho, Newbridge and Kirkliston Local Plan, E42, E44 of the Finalised Rural West Edinburgh Local Plan and the Councils Non Statutory Guidelines on Conservatories

2 Main report

Site description

The site is a detached two storey, brick built house with a concrete tiled roof, located within a development of similarly designed houses. The house fronts onto Glendinning Road, where the front gardens are open plan. The rear garden backs onto Kirklands Park Rigg, where a 1.8 metre high fence bounds a narrow section of grass on the verge of the road. The rear garden is on a slope across the site and the boundaries are 1.8 metre high fences.

Site history

There is no planning history for the site.

Development

The proposal is a retrospective one for the erection of a conservatory in the rear garden of the site. The conservatory is 7 metres in length and virtually occupies the whole rear wall of the house. The projection from the rear wall varies from 3.75 metres deep to 2.73 metres. The conservatory is 3.3 metres in height at the highest point.

The external materials are facing brick to match the house and white uPVC frame.

Scheme 2

The applicant proposed to address overlooking issues by increasing the height of the western wall on the boundary by 370 millimetres. This would have resulted in a screen of 2.45 metres height on the western boundary for a distance of 6 metres. The eastern boundary was proposed to be increased by 150 millimetres, resulting in a height of boundary of 2 metres for a distance of 6 metres. The neighbours on either side of the site have been renotified of the change in the proposal.

Scheme 3

The applicant has now included a 2 metre high fence close to the conservatory on the western side of the conservatory for the length of the conservatory (2.7 metres). A 1.85 metre high fence would also be erected on the eastern side of the conservatory, located close to it and for a length of 6 metres.

Consultations

No consultations undertaken.

Representations

Scheme 1

No objections

Scheme 2

Two letters of objection from neighbours to the site, their comments can be summarised as follows: -

- the height of fence on the boundary would cause damage and disruption
- the owners of the site have caused past disruption
- the existing wall to be extended on the boundary is not within the ownership of the applicant
- loss of daylight

- the proposed fences are a 'quick fix' to address unacceptable issues created by an unauthorised proposal to the detriment of the appearance of the area

Policy

The proposal lies within an area mainly allocated for residential purposes on the Ratho, Newbridge and Kirkliston Local Plan area. The site is similarly zoned on the Finalised Rural West Edinburgh Local Plan.

Relevant Policies:

Ratho, Newbridge and Kirkliston Local Plan Area

Policy RN269 seeks to influence the design of development to secure high standards and to protect the appearance of existing buildings and their surroundings.

Finalised Rural West Edinburgh Local Plan

Policy E42 encourages high standards of design for all development and its careful integration with its surroundings in terms of scale, form, siting, alignment and materials.

Policy E44 requires that alterations and extension be subservient and relate carefully to the original building. Proposals should preserve the architectural integrity of the existing building and respect its setting.

Non Statutory Guidelines

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

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

Non-statutory guidelines on 'CONSERVATORIES' supplement local plan policies on building alterations, conservation and design, providing guidance on the design and location of conservatories.

3 Conclusions and Recommendations

Determining issues:

- 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 assess the determining issues, consideration needs to be given to:

- a) Whether the proposal is in keeping with the character of the area
- b) Whether there are any detrimental effects on adjacent properties in terms of loss of privacy or overshadowing

a) The conservatory, whilst to the rear of the house, presents a prominent aspect when viewed from Kirklands Park Rigg. The Council's Non Statutory Guidelines on Conservatories advises that conservatories will not normally be granted on a principal elevation or other conspicuous elevation. This rear elevation is considered to be conspicuous and as such the conservatory intrudes significantly into the rhythm of the rear gardens of Glendinning Road. The prominence of the conservatory in the area is amplified by the ground levels with the western elevation being significantly higher than the mutual boundary wall on that side. The conservatory occupies virtually the whole length of the rear wall of the house and as such dominates this elevation. The original house has a single storey protrusion with a swept lead roof. The conservatory has enveloped this feature with no regard to the design of the original feature resulting in an awkward visual relationship between the house and the conservatory. The conservatory does not present a high standard of design which integrates carefully with its surroundings in terms of scale, form, siting and alignment. The conservatory does not preserve the architectural integrity of the existing building and is not subservient to it.

b) The conservatory is glazed on three sides. The east facing elevation is located 1 metre from the boundary and the west facing elevation located 2 metres from the boundary. Neither boundary has sufficiently high screening to preclude overlooking into neighbouring gardens. Because of ground levels in the area, the west facing elevation is particularly high in relation to the neighbouring house's rear garden. In terms of the Council's Non Statutory Guidelines on Daylighting, Privacy and Sunlight, the conservatory is neither at a distance of 9 metres or more from the side boundaries, nor are these boundaries sufficiently well screened to preclude a significant reduction in privacy.

It is recommended that the Committee refuses this application for the reasons stated. It is also recommended that enforcement action be taken to require the removal of the conservatory.

FURTHER ASSESSMENT

This application was recommended for refusal and enforcement on the basis that the conservatory was out of character with the area and adversely affected the architectural integrity of the house, and was unacceptable because of loss of privacy. The Committee wished that the applicant be approached with a view to addressing the privacy issues.

The applicant has now submitted a scheme(2) which will provide privacy screening on either side of the conservatory. The submitted scheme of fencing, because it is not located on the boundaries, will also not cause overshadowing of the neighbouring properties. The privacy issues are now considered to have been addressed. The design of the conservatory and its impact on the architectural integrity of the original building and upon the wider area is still considered to be unacceptable. If Committee wishes to support the amended scheme, a condition requiring implementation of the screening will be required.

It is recommended that the Committee refuses this application for the reasons stated. It is also recommended that enforcement action be taken to require the removal of the conservatory.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 03 -Dalmeny/Kirkliston

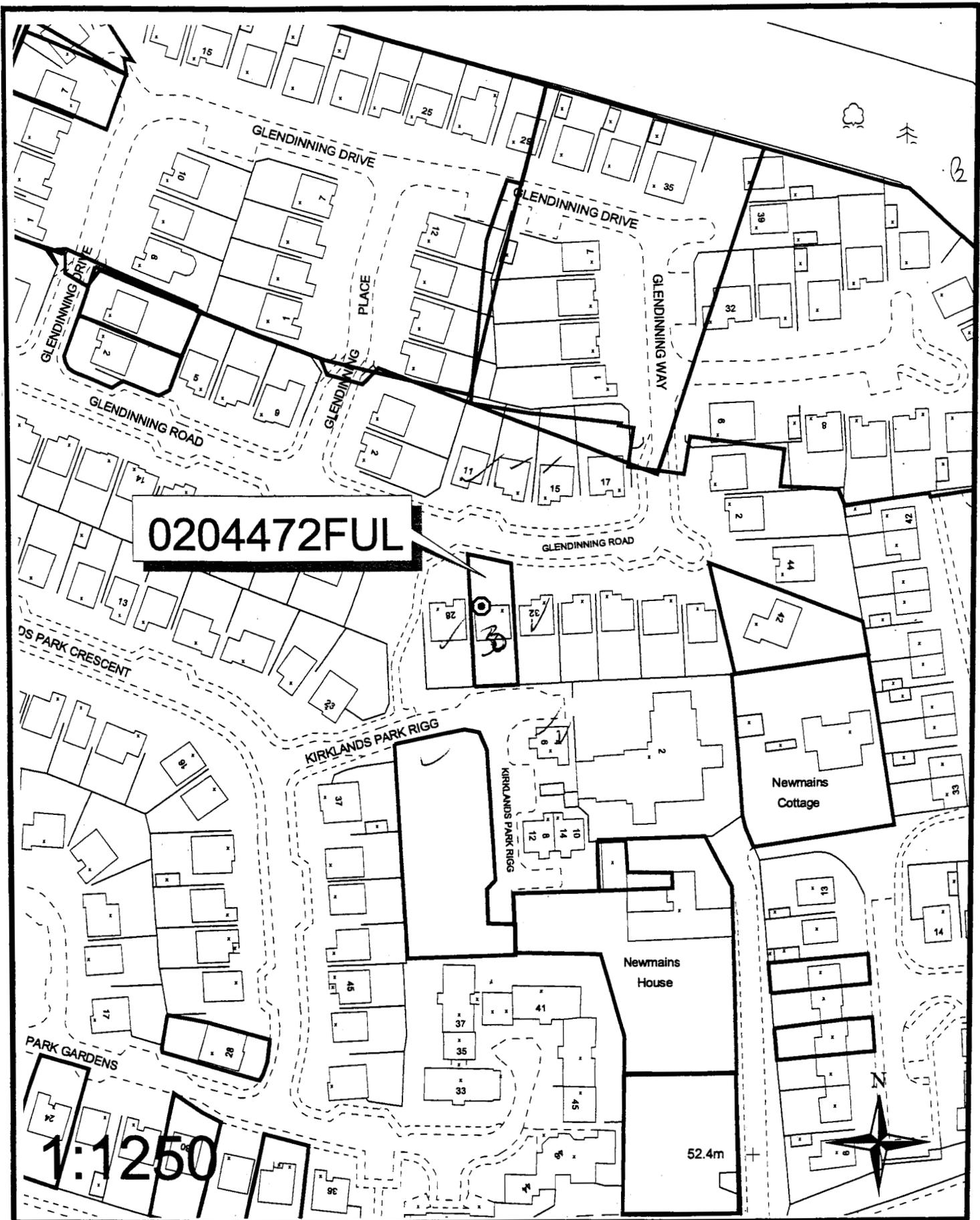
Local Plan Ratho, Newbridge And Kirkliston

**Statutory Development
Plan Provision** Residential

File

Date registered 12 December 2002

**Drawing numbers/
Scheme** 5211+7623



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PLANNING APPLICATION

The City Development Department - Planning