

**Full Planning Application  
at  
49 Winton Terrace  
Edinburgh  
EH10 7AP**

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

**Proposal:** Extension of dwelling house  
**Applicant:** Mr + Mrs Muir  
**Reference No:** 02/00600/FUL

**1 Purpose of report**

To recommend that the application be **REFUSED**.

**Reasons**

1. The proposal would result in loss of amenity to the property at 11 Winton Park due to a loss of light and overshadowing contrary to policy H4 of the South West Edinburgh Local Plan, policy DQ11 of the Draft West Edinburgh Local Plan and to the Council's non statutory guidelines in respect of Daylighting Privacy and Sunlight.

**2 Main report**

**Site description**

The detached property is situated at the southern end of Winton Terrace which is a cul de sac. A footpath runs along the eastern boundary of the property connecting Winton Terrace to Winton Park. The land slopes steadily downwards from north to south. The property has a single storey element which connects to the main house running in an east to west direction. It measures 7.5 metres in front of the house and 5.5 metres in width. The extension is currently 1 metre from the southern boundary and 3.5 metres from the eastern boundary.

## **Site history**

There is no relevant planning history for this site.

## **Development**

The proposal is to extend above the garage at first floor level. The extension would have a gable end and a ridge roof finishing 20cm below the ridge of the main house with eaves to the same height. It is proposed to have one small window on the south elevation, two windows are proposed on the north elevation and one window proposed on the west elevation. Materials would match the existing house.

The applicant has submitted a supporting statement which addresses the issues of potential overshadowing and overlooking and diffusion of northern light. This is available in the Party Group Rooms.

## **Consultations**

No Consultations received.

## **Representations**

Two letters of objection have been received. The reasons for objection may be summarised as follows;

- overshadowing
- overlooking/loss of privacy
- impact on streetscape
- extension beyond the building line

## **Policy**

The proposal is subject to the housing and compatible use policies of the South West Edinburgh Local Plan and the Draft West Edinburgh Local Plan.

### Relevant Policies:

Policy DQ11 Alterations and Extensions where acceptable in principle, should be subservient and relate clearly to the original building.

Policy H3 expects new housing development to harmonise with, and reflect the particular character of, the surrounding area, if appropriate, and subject to a number of criteria.

Policy H4 imposes special controls over new housing development in the garden grounds of villas in Conservation Areas, of listed buildings, other garden grounds of landscape quality and areas of traditional and largely uniform suburban character, in order to protect character and amenity.

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.

### 3 Conclusions 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 the determining issues, the Committee needs to consider:

- a) whether the design is satisfactory given the setting of the site;
- b) whether the proposals are detrimental to residential amenity or road safety.

a) The proposed extension respects the character and proportions of the original dwelling and is considered acceptable in design terms. The angle of the roof follows that of the original dwelling and sits below the height of the original ridge. The proposed length of the roof would exceed the guidelines in respect of ridge length, and in this regard the proposal is contrary to the Council's non-statutory guidelines in respect of House Extensions. However it is considered that as the overall design is acceptable that a departure in this regard is acceptable in this instance.

b) The proposed extension (as revised) would not have windows in the south facing elevation and therefore it would not give rise to overlooking of number 11 Winton Park. The north facing windows are angled as such that they would not give rise to overlooking of number 51 Winton Terrace.

As number 11 Winton Park sits down the slope from number 49 there will be an area of overshadowing to almost a quarter of the adjoining rear garden. The proposal would also cast shadow onto the applicant's front garden. The applicant has submitted additional information which seeks to address the issue of diffused light from the north however it is not considered that this overcomes the issue of overshadowing and loss of light to number 11 Winton Park.

The proposal retains the existing garage. There would be no implications for highway safety.

The applicant has made reference to the same style of extension which has been carried out at number 55 Winton Terrace, three units way. That property sits in a gable to gable situation with the neighbour and the issues are different. Since the submission of the application the Council has approved a similar proposal at 26 Winton Drive (reference 03/01045/FUL) on 13/8/03. That proposal too sat in a gable to gable situation and complied with the non-statutory guidelines. All applications are considered on their merits and this proposal fails to comply with the Council's non-statutory guidelines in respect of Daylight Privacy and Sunlight and House Extensions.

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

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

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**Ward affected** 52 -Fairmilehead

**Local Plan** South West Edinburgh Local Plan  
Draft West Edinburgh Local Plan

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

**File**

**Date registered** 25 February 2002

**Drawing numbers/  
Scheme** 1124, 31391-3, 1126, 1129-1130



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# PLANNING APPLICATION

The City Development Department - Planning