

# Development Management Sub Committee

Wednesday 28 August 2013

**Application for Planning Permission 13/00778/FUL  
At 31 Merchiston Avenue, Edinburgh, EH10 4PH  
Alteration and extension of existing dwelling house to form  
new storey and a half extension over and behind existing  
garage. The development will comprise a bedroom and  
shower room over existing garage and family room/dining  
area to the rear.**

Item number	4.6
Report number	
Wards	A10 - Meadows/Morningside

## Links

<a href="#">Policies and guidance for this application</a>	LPC, CITD11, CITE6, NSG, NSHOU, NSLBCA, OTH, CRPMER,
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## David R. Leslie

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# Executive summary

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area to the rear.**

## Summary

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The proposed erection of a storey and a half side and rear extension does not comply with the development plan and non-statutory guidance in respect of alterations and extensions to existing buildings and of development within a conservation area. The proposals would adversely affect the character and appearance of the conservation area and have an adverse impact on the appearance and character of the existing building.

## Recommendations

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It is recommended that this application be Refused for the reasons below (in section 3 of the main report).

## Financial impact

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There are no financial implications to the Council.

## Equalities impact

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The application has been assessed and has no impact in terms of equalities or human rights.

## Sustainability impact

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This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## Consultation and engagement

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### Pre-Application Process

Pre-application discussions took place on this application.

## Publicity summary of representations and Community Council comments

The application was advertised on 22 March 2013 and 14 letters of representation were received from neighbouring properties. Seven letters were received objecting to the proposal and seven were received in support.

The letters of objection raised the following material issues:

- Design;
- Overdevelopment;
- Relationship with original villa;
- Impact on wider townscape;
- Conservation - special importance of conservation area and impact on enhancement;
- Materials;
- Loss of trees; and
- Amenity - overlooking and loss of privacy, loss of light, proximity.

The letters of support raised the following material issues:

- Extension in keeping with character of the street;
- Materials are of the same quality as the existing property;
- The proposal will only be partially visible with minimal impact; and
- Use of pitched roof more in keeping than existing flat roof.

A full assessment of the representations can be found in the main report in the Assessment section.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

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## **1. Background**

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### **1.1 Site description**

The application site comprises a ground floor, flatted dwelling located within a detached, two-storey villa. It is located on the eastern side of Merchiston Avenue to the south of its junction with Granville Terrace and Polwarth Crescent and north of its junction with Polwarth Terrace.

The existing building is a stone built villa under a hipped, slated roof. There is a centrally located door with a two-storey bay window on its right-hand side and the property provides a mirrored pair with the villa at No 33 Merchiston Avenue.

There is a modern, flat roofed garage extension to the northern side and a flat roofed, two-storey addition to the southern side, providing external stepped access to the upper floor flat. There is a centrally located, single-storey outshot to the rear elevation with a low pitched pyramidal roof, which extends 4.7 metres beyond the rear elevation.

The rear garden area is bounded by stone walls and hedgerows.

The property is one of three detached villas set centrally within their feu. To the south of the application site stands a gabled, pair of semi-detached villas with a larger pair of villas, divided into four flats, beyond that.

Further south stand three large, two-storey detached buildings that have been divided into flats. Two of those properties, Nos 21 and 17 have large flat roofed, two-storey side extensions. These were erected some time ago and before the designation of this part of the Merchiston and Greenhill Conservation Area, in May 1986.

Opposite the site there is a four-storey, stone built tenement block of flatted properties with shops and other office uses at the ground floor level with the street.

This property is located within the Merchiston & Greenhill Conservation Area.

## 1.2 Site History

The relevant site history is:

23 March 2012 - Planning permission was refused for the erection of a reduced height, two-storey side and rear extension including a separate glazed roof projection on the rear elevation; between the existing outshot and the proposed extension (Ref 12/00125/FUL).

The reason for refusal was: *"... as the proposal would represent an incongruous addition to the existing building, out of keeping with the original form and appearance of it and contrary to the prevailing townscape character."*

## 2. Main report

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### 2.1 Description Of The Proposal

The application is for the erection of a pitched roof over an existing flat roofed garage to the side of the property, then continuing to the rear elevation as a one-and-a-half-storey extension. It also includes a glazed roofed infill, located between the existing rear outshot and the proposed extension.

The extension, overall, measures 15.6 metres in length by 5.1 metres in width. It projects 9.2 metres beyond the rear of the existing garage and 3.0 metres beyond the rear elevation of the original villa. The proposal measures 4.0 metres to the eaves (0.3 metres less than the previous submission) and 5.7 metres to the ridge (0.6 metres less than the previous submission).

The front elevation is to be hipped roof, including an off-centre barrel roofed dormer, (the previous scheme was gabled with a central window opening at first-floor level) and is to be faced in ashlar stone to the front elevation with stone quoins and copings. The side elevation is to be ashlar stone, with vertical hung slate above and the roof is to be slate covered. The rear elevation is gabled with a full height and width glazed area within a stone frame.

The extension would provide a garage at the ground floor level together with a dining/family room and an internal staircase to the first floor, leading to two additional bedrooms and a 'wet-room'. The upper floor area is located within the proposed pitched roof.

The separate glazed roof is to be 2.8 metres above the ground, to the eaves height of the existing rear outshot and covers an area of 15.6 square metres. That area together with a similar extent of land to the rear of the extension is to be hard surfaced.

**Supporting Statement** - A Design, Access and Planning Policy Statement has been submitted. This document is available to view on the Planning and Building Online Services.

### 2.2 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 plan, are there any compelling reasons for approving them?

### **2.3 Assessment**

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

- (a) the proposals preserve or enhance the character and appearance of the conservation area;
- (b) the proposed scale, form, design and materials are acceptable;
- (c) the proposals will result in an unreasonable loss of neighbouring amenity;
- (d) the proposals provided sufficient amenity for the future occupiers of the development;
- (e) the proposals have any equalities or human rights impacts; and
- (f) comments raised have been addressed.

#### **a) Impact on Character and Appearance of the Conservation Area**

*The Merchiston and Greenhill Conservation Area Character Appraisal provides that; the site lies within an area of predominantly rectangular grid layout where the spatial structure has remained substantially unchanged for a significant period of time.*

*The spatial structure and townscape is comprised of a dominant traditional layout and mature townscape of remarkably consistent and human scale with a distinctive integration of townscape and landscape. There are sensitive changes of density and building types, and a consistent domestic grain scale and building mass. Buildings have generous settings which provide effective separation between changes in urban form, land uses and villa pattern, an important townscape element.*

*In terms of the architectural character the significance of individually designed villas and substantial terraces in the area and the variety of architectural styles contribute to the overall character of the area. The visual and physical seclusion of the villas is defined by high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges. There is a significant degree of uniformity resulting from the predominant use of traditional building materials: of local sandstone for buildings and boundary walls and Scots slate for roofs.*

*New developments require that the scale, design and materials should reinforce and protect those features that give Merchiston and Greenhill its special character and that that development should take into consideration the spatial pattern, scale, proportions and design of traditional properties. Emphasising that new development should protect the setting of individual buildings and the historic environment as a whole.*

The original villa stands within a generous feu. There is an existing, single-storey garage, that extends the full width between the side elevation of the original villa and the common boundary with the neighbour. The garage is flat roofed to a height of 2.9 metres and constructed of roughcast render to the side and rear elevations and a horizontal, up-and-over metal door extending to the full width of the front elevation.

The neighbouring property, at No 33 Merchiston Avenue, has a 4.2 metre high stone built side addition that projects over half of the width of the side area between the side elevation of the original villa and the common boundary with the application property. That addition is replicated by the villa at No 35 Merchiston Avenue. Such proportionate, single-storey projections are characteristic to this prevailing townscape within this part of the conservation area.

The applicant points towards several examples of side extensions and other similar alterations within the vicinity. A number of these are longstanding developments; some of which pre date the designation of the conservation area. None represent a similar, full width addition. They do not represent justification for the proposed development within this part of the defined conservation area.

The proposal extends beyond the existing depth of the building, has a hipped end with dormer window projection to the front. It is scaled to provide a modern two-storey internal height and as such its form and scale do not accord with the two-storey height of the original villa. Accordingly, its proportions are at variance with the existing two-storey property and represent a form of 'miniaturisation' in relation to the host property.

The proposal identifies the use of ashlar stone to both the front elevation and as a frame to the wholly glazed rear elevation. The side elevation is to be faced in a combination of cement render with vertical hung slates above. Such materials on the side elevation, and their composite use, are neither characteristic of this building nor of this part of the conservation area.

The size and form of the proposed dormer window does not respect the size, form or relationship of the existing fenestration pattern of the existing building, or of others within this part of the conservation area. As such it will detract from the existing architectural balance of the form and appearance of the original villa.

As an extension, the proposed scale, design and materials of the proposal do not reinforce and protect those features that give Merchiston and Greenhill Conservation Area its special character. Neither do they take into consideration the spatial pattern, scale, proportions and design of the original villa or the neighbouring traditional property. Accordingly, it neither protects the setting of the original villa or of the historic environment as a whole.

The proposal would neither preserve nor enhance the character and appearance of the conservation area.

#### b) Scale, Form and Design (Materials)

The proposal, as a side extension with an element of rear projection, represents an addition to only a small part of the overall site. As such it would not represent an overdevelopment of the site as a whole or this part of the original property.

The proposal seeks to form a storey and a half extension to the ground floor flat within the original villa. As a result, it is restricted in height so as not to extend beyond the dividing line with the upper floor flat, but utilising the whole of the area between the villa gable and the boundary wall.

The width and size of the garage takes no account of the form and proportions of the original villa or of its position and relationship within the original feu.

Together with the use of modern head heights, the proposal results in an inappropriate, modern proportioned addition with a truncated roof form, a miniaturised dormer window and the use of vertical hung slates and render to the side elevation. The form, proportion and appearance of extension bears little relationship to the original villa and would stand as miniaturisation at variance with and to the detriment of the original villa.

Accordingly, the proposal would represent an inappropriate scale, form, design and materials for the proposal addition contrary to the provisions of the development plan and prevailing guidance.

#### c) Neighbouring Amenity

In terms of overlooking, the proposal incorporates windows within the front and rear elevations and includes rooflights within the roof slopes. The front elevation faces toward the public road and the rear elevation faces down the length of the applicants' rear garden and are greater than 12.5 metres from the rear boundary of the site. Therefore, they comply in full with the provisions of the Council's guidance.

The existing windows, in the side elevation of the neighbouring ground floor outshot, are in a 'gable-to-gable' position, 2.2 metres from the common boundary. In terms of daylight to those windows, when measured at 25 degrees from their centre, they are presently impacted to a detrimental extent by the side wall of the original dwelling house. Accordingly, the proposal would have no greater impact than at present.

Overall, as a consequence of the proposed development, there would be no detrimental loss of residential amenity.

#### d) Amenity of Future Occupants

In terms of the footprint as a proportion of the original villa and in terms of the overall site coverage, the proposal complies with the terms of the guidance.

The proposal is predominantly located within a gable-to-gable position extending 3.0 metres beyond the original rear elevation. Therefore, the proposal would retain the large majority of the rear garden area as external amenity space for both the existing and future occupants of the premises.

#### e) Equalities and Human Rights Impacts

This application has no impact in terms of equalities and human rights. An Equalities and Rights impact assessment has been completed.

#### f) Public Comments

##### **Material representations-**

- conservation area enhancement;
- impact on wider townscape; and
- loss of trees, are addressed in section 2.3(a);
  
- overdevelopment, design, materials; and

- relationship with original villa, are addressed in section 2.3(b); and
- overlooking and loss of privacy;
- loss of light; and
- proximity, are addressed in section 2.3(d).

**Non Material Representations** – none were raised.

## CONCLUSIONS

In conclusion, the proposals do not comply with the development plan and non-statutory guidance in respect of alterations and extensions to existing buildings and of development within a conservation area. The proposals would adversely affect the character and appearance of the conservation area and have an adverse impact on the appearance and character of the existing building. There are no material considerations which outweigh this conclusion.

## **3. Recommendations**

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**3.1** It is recommended that this application be Refused for the reasons below

### **3.2 Conditions/reasons**

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development and Non Statutory Guidelines in respect of Listed Buildings and Conservation Areas, as the proposed scale, design and materials of the proposed extension do not reinforce and protect those features that give Merchiston and Greenhill its special character. It does not take into consideration the spatial pattern, scale, proportions and design of the original villa or the neighbouring traditional property and would neither preserve nor enhance the character and appearance of the conservation area.
2. The proposal is contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions and Non Statutory Guidelines in respect of Householders, as the form, scale, materials and fenestration pattern of the proposed storey and a half extension would represent an inappropriate form, scale and appearance of addition that would be out of character with the original proportioned villa to the detriment of the appearance and character of the building and the streetscape.

**Statutory Development  
Plan Provision**

**Edinburgh City Local Plan** - Urban Area and  
designated Conservation Area.

**Date registered**

13 March 2013

**Drawing numbers/Scheme**

01-05,

Scheme 1

**David R. Leslie**

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## Links - Policies

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### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

#### **Other Relevant policy guidance**

**The Merchiston & Greenhill Conservation Area Character Appraisal** emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area

# Appendix 1

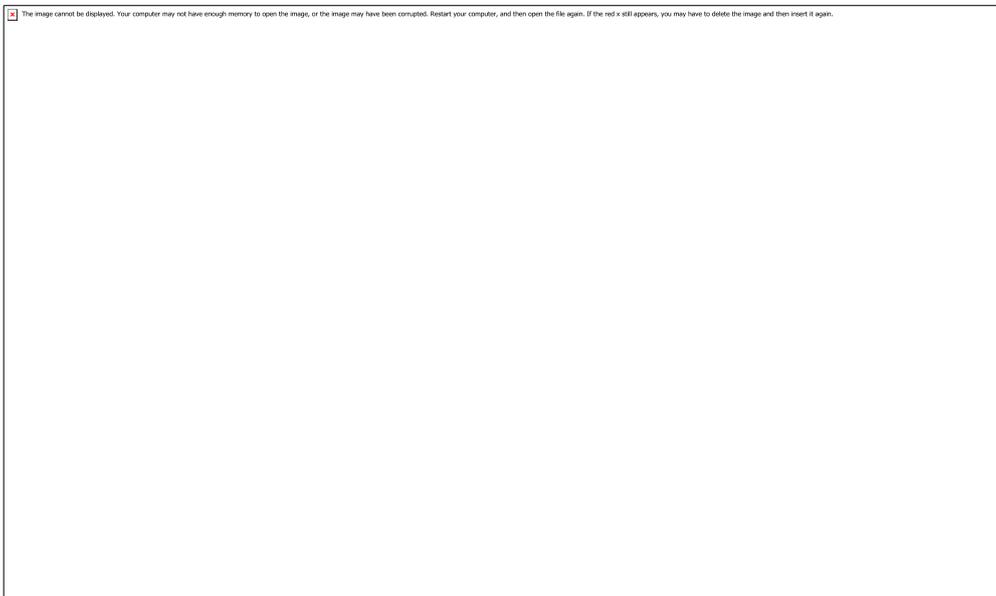
## Consultations

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No consultations undertaken.

## Location Plan

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