

## Item No 5.1 (a)

Leslie Howson, Architect.  
Flat 3F3 179 Gilmore Place  
Edinburgh  
EH3 9PW

Mr And Mrs Carlos Pica.  
36 Colinton Mains Road  
Edinburgh  
EH13 9AW

Date:13 May 2014

Your ref:

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Two storey rear extension together with decking and ballustrading in conjunction with re-division of existing two storey terraced house into two separate dwellings.  
At 36 Colinton Mains Road Edinburgh EH13 9AW

**Application No:** 14/00889/FUL

#### DECISION NOTICE

With reference to your application for Planning Permission registered on 14 March 2014, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

#### **Conditions:-**

#### **Reasons:-**

1. The proposed extension by reason of its design, scale, form and prominence is an incongruous addition that will be detrimental to neighbourhood character. The proposal is contrary to local plan policy Des 11 and non-statutory 'Guidance for Householders'.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

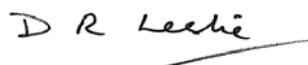
Drawings 01-12, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

Whilst the proposal will not have an adverse effect on neighbouring residential amenity, it will cause undue harm to the character and appearance of the property and surrounding area and is in breach of Policy Des 11 of the Edinburgh City Local Plan and the Council's 'Guidance for Householders'.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Rebecca Marwood directly on 0131 469 3598.

A handwritten signature in black ink that reads "D R Leslie". The signature is written in a cursive style and is positioned above a horizontal line that serves as a separator between the signature and the printed name below.

David R. Leslie  
Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice review should be addressed to the City of Edinburgh Planning Local Review Body, G2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

**Application for Planning Permission 14/00889/FUL  
At 36 Colinton Mains Road, Edinburgh, EH13 9AW  
Two storey rear extension together with decking and  
ballustrading in conjunction with re-division of existing two  
storey terraced house into two separate dwellings.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	14/00889/FUL
<b>Wards</b>	A08 - Colinton/Fairmilehead

## Summary

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Whilst the proposal will not have an adverse effect on neighbouring residential amenity, it will cause undue harm to the character and appearance of the property and surrounding area and is in breach of Policy Des 11 of the Edinburgh City Local Plan and the Council's 'Guidance for Householders'.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LPC, CITD11, NSG, NSHOU,
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# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The application site comprises of a lower and upper flat in a block of four which has been converted into a single dwelling. The property is located on the west side of Colinton Mains Road and the Braid Burn and its associated footpath are located to the rear of the application property to the north west. The property is finished in render with a red concrete tiled roof. The property is characteristic of those within the street and area. There is garden ground to the rear of the property.

### 2.2 Site History

There is no relevant planning history for this site.

## Main report

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### 3.1 Description Of The Proposal

The application seeks to erect a two storey flat roofed extension to the rear of the application property. This proposal incorporates a decked area to the ground floor and a balustrade to the first floor.

The two storey extension will protrude 3.8 metres from the existing rear building line and measure 7.8 metres in width. The proposal will measure 5.4 metres to the eaves and 5.6 metres in height. The proposed materials are render to match existing with a concrete facing block plinth.

The proposed timber decking will measure 2.1 metres in length, 7.4 metres in width and 0.7 metres in height. The proposed glass handrails result in the overall height of the decking being 1.8 metres.

The proposed glass balustrade to the first floor will measure 3.3 metres in width and 1 metre in height.

The application seeks to reinstate this two storey property into two separate dwellings. In reinstating this property into two separate flatted dwellings, the applicant seeks to divide the existing garden ground between the two properties and enlarge the existing parking area.

Any internal alterations associated with this re-division do not require planning permission.

### **3.2 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?

### **3.3 Assessment**

To address these determining issues, it needs to be considered whether:

- a) The proposal will have a detrimental impact on the character and appearance of the building and street;
- b) The proposal will impact on the amenity of the neighbouring residential properties;
- c) the proposal will raise any road safety concerns;
- d) The proposal will have any detrimental impact on equalities and human rights; and
- e) There have been any material considerations raised through representations.

## **ASSESSMENT**

### **a) Character**

The height and bulk of the proposed extension completely overwhelms the appearance of the original property. By spanning the entire height to the eaves and width of the dwellinghouse the proposal is not subservient and is completely out of character with the surrounding properties.

The proposed flat roof is not respectful of the original roof and is not a complimentary addition to the existing dwellinghouse. The proposal would have a detrimental impact on the character and appearance of the dwellinghouse.

The proposed extension has the affect of introducing a new house type in the area because of its scale, massing and form. The design, particularly the proposed roof form and its two storey height, is out of character with the existing properties and prevalent neighbourhood character. The proposed extension is in a prominent position as it is visible from north-south traffic along Oxgangs Road North and along the public footpath that runs adjacent to the Burn which accentuates the issues with the proposed scale, form and design.

The materials proposed are appropriate and would match those of the original dwellinghouse. However, these small details do not outweigh the appearance of the

proposed extension as a dominant feature within this row of flatted dwellings and in this part of the street scene.

The proposal affects the rear elevation and is visible from public views. The proposal introduces the only two storey extension in the immediate area and because of its bulky form and degree of visibility it will cause harm to the neighbourhood character. The proposal will be detrimental to neighbourhood character and is contrary to policy Des 11.

#### b) Amenity

The proposal has been assessed through the 45 degree principle described in the non-statutory 'Guidance for Householders' which showed that there will be no loss of daylight and no significant loss of sunlight to the neighbouring properties.

The proposal is adequately distanced from the rear boundary and will have no impact on neighbouring privacy to the north west. The proposal will overlook the neighbouring gardens to some extent. However the rear gardens are already extensively overlooked by the first floor windows to a greater extent so the impact will be minimal.

#### c) Parking and Road Safety

The application seeks to increase the width of the drive. Transport Planning have no objections to this element of the proposal.

#### d) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

#### e) Public Comments

One letter of objection was received in relation to this application.

#### **The letter of representation raised the following material considerations:**

- Loss of natural light to rear rooms of the dwellinghouse - addressed in section (b).

#### **The letter of representation raised the following non-material considerations:**

- Loss of a view

### **CONCLUSION**

In conclusion, whilst the proposal will not have an adverse effect on neighbouring residential amenity, it will cause undue harm to the character and appearance of the property and surrounding area and therefore refusal is recommended.

There are no material considerations that outweigh this conclusion.

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

### 3.4 Conditions/reasons/informatives

#### Reasons:-

1. The proposed extension by reason of its design, scale, form and prominence is an incongruous addition that will be detrimental to neighbourhood character. The proposal is contrary to local plan policy Des 11 and non-statutory 'Guidance for Householders'.

### Risk, Policy, compliance and governance impact

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4.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### Equalities impact

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#### 5.1 The equalities impact has been assessed as follows:

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

### Consultation and engagement

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#### 6.1 Pre-Application Process

Pre-application discussions took place on this application.

#### 6.2 Publicity summary of representations and Community Council comments

One letter of objection was received in response to this application. The letter of representation raised the following material issues:

- Impact on Daylight

Non-material comments made were based on the grounds of the loss of a view.

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](#)

**Statutory Development  
Plan Provision**

The area within which the site is located has been defined as Urban Area within the Edinburgh City Local Plan.

**Date registered**

14 March 2014

**Drawing numbers/Scheme**

01-12

Scheme 1

**David R. Leslie**

Acting Head of Planning and Building Standards

Contact: Rebecca Marwood, Student Planner  
E-mail:rebecca.marwood@edinburgh.gov.uk Tel:0131 469 3598

**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.

**Relevant Non-Statutory Guidelines**

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

# Appendix 1

## Consultations

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### Transport

*Transport have no objections to the proposal subject to the following informatives:*

#### *INFORMATIVE*

- 1. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
- 2. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
- 3. Any gate or gates must open inwards onto the property;*
- 4. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
- 5. The applicant should be informed that prior to carrying out any works to form a footway crossing a Minor Roadworks consent must be applied for and secured;*
- 6. The works to form a footway crossing must be carried out in accordance with 'Development Roads - Guidelines and Specification'.*

END

# Comments for Planning Application 14/00889/FUL

## Application Summary

Application Number: 14/00889/FUL

Address: 36 Colinton Mains Road Edinburgh EH13 9AW

Proposal: Two storey rear extension together with decking and ballustrading in conjunction with re-division of existing two storey terraced house into two separate dwellings.

Case Officer: Rebecca Marwood

## Customer Details

Name: Mrs Steffanie Purves

Address: 38 Colinton Mains Road, Edinburgh EH13 9AW

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this two storey extension as I am the owner of the upper villa flat next door (attached) and my lounge window is around 2ft away from where the wall for the building's proposed 2nd storey will be positioned. I am concerned that I will not only lose light into my lounge but currently I have a panoramic view from my lounge and this will alter if this is built. I have no objection to the building in theory and if the building had affected any other room than my lounge I would not be objecting but this is my home and the building will completely change my lounge, in my opinion, from both the light and the view. I feel that my personal space should not be affected by someone else's decision