

**Full Planning Application 05/01435/FUL
at
41 Morningside Drive
Edinburgh
EH10 5LZ**

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

1 Purpose of report

To consider application 05/01435/FUL, submitted by B Rae. The application is for: **Change of use from artists studio to dwelling house, including single-storey extension to north west corner of building**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The site is a single storey workshop type building and grounds to the rear of residential properties fronting Morningside Drive. It is accessed from Ethel Terrace. All surrounding properties are residential.

Site history

January 1995 - Planning permission granted for a part change of use from store to artists studio and store.

August 2000 - Planning permission granted to form an external door from a window and form a screen wall.

April 2001 - Planning permission granted to erect a conservatory in the garden.

September 2001 - Planning permission granted to increase the height of the existing stone wall by 250mm and reposition the new garden stone boundary wall.

Description of the Proposal

It is proposed to change the use of the property from artist's studio to form a single storey residential unit.

It is also proposed to demolish an existing extension on the north elevation of the property and erect a new one in its position. It would be single storey with a pitched roof and would have a footprint of 4.4 metres by approximately 5.7 metres.

It is also proposed to remove an existing window on the east elevation and replace it with timber glazed french doors. These would provide access to a rear garden with an area of 23 square metres. The garden would be bounded by a 1.5 metre high timber fence.

The existing vehicular access from Ethel Terrace is to remain as the proposed means of access for both pedestrians and vehicles. There would be space for one car. The remainder of the front yard area would be soft landscaped.

Materials would be stone, slate and timber all to match the existing.

3 Officer's Assessment 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 whether:

- a) The change of use is acceptable,
- b) The design of the proposal is acceptable,
- c) The proposals are detrimental to residential amenity,
- d) The proposals would be detrimental to road safety.

a) The property is within an area zoned for Mainly Residential uses in the adopted Local Plan. Surrounding properties are all residential. The use in principle is therefore compatible. The loss of the property as an artist's studio would not be detrimental to the area.

b) The extension is subservient to the existing property and is of a suitable scale and design. The plot for this residential unit would be relatively small compared with surrounding plots. However, this is an existing building and not a proposal for a new build or subdivision of an existing plot. Although not normally acceptable, there would be adequate external amenity space for the future occupants of the dwelling. The materials proposed will match the existing property.

The proposal would not have an adverse effect on the spatial character of the area or the grounds and setting of the villas to the north.

c) Overshadowing from the proposed extension would be minimal in terms of the Council Guidelines on Daylighting, Privacy and Sunlight. This overshadowing would be to the bottom of the rear gardens belonging to neighbouring properties. Although the extension would be to the south of these properties, there would be no undue overshadowing. There would be no new windows that would overlook adjacent private gardens. The proposed boundary fence to the rear of the property would not be effective at screening the garden for privacy. It would only be 1.5 metres in height and would be visually permeable. A solid screen fence, with no gaps, 1.8 metres in height should be erected to protect the privacy of future occupants of the application property and of the existing adjacent neighbour. A suitable condition has been attached to the recommendation.

The proposals will not be detrimental to residential amenity.

d) Vehicular access to the property would be gained from using the existing access. There would be no significant additional impact.

The proposals would not be detrimental to road safety.

It is recommended that the Committee approves this application, subject to conditions ensuring the adequate design of a timber screen fence.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David Shepherd on 0131 529 3956 (FAX 529 3717)
Ward affected	51 - South Morningside
Local Plan	South West Edinburgh Local Plan; Draft West Edinburgh Local Plan
Statutory Development Plan Provision	Mainly Residential; Urban Area
Date registered	28 April 2005
Drawing numbers/ Scheme	1, 3-4, 6-8.

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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 41 Morningside Drive
Edinburgh
EH10 5LZ

Proposal: Change of use from artists studio to dwelling house, including single-storey extension to north west corner of building

Reference No: 05/01435/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

A late comment from this department has been received indicating that they have no objections.

Representations

Two letters of representation have been received from residential neighbours. The following material points were made:

1. The proposed timber fence would not be in keeping with existing stone walls,
2. Inaccuracy of plans.

Other issues raised are not material planning considerations. These issues are mainly civil/legal or Building Control issues.

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 is within the South West Edinburgh Local Plan area under a Mainly Residential land use designation. It is also within the Draft West Edinburgh Local Plan area under an Urban Area land use designation.

Relevant Policies:

South West Edinburgh Local Plan

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

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.

Draft West Edinburgh Local Plan

Policy DQ11 Alterations and extensions, where acceptable in principle, should be subservient and relate clearly to the original building. they should be of a suitable scale to the existing building and space around it.

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

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

Non-statutory guidelines on 'VILLA AREAS AND THE GROUNDS OF VILLAS' provide guidance on development, to ensure the conservation and enhancement of villa areas.

Application Type Full Planning Application
Application Address: 41 Morningside Drive
Edinburgh
EH10 5LZ

Proposal: Change of use from artists studio to dwelling house, including single-storey extension to north west corner of building

Reference No: 05/01435/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

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

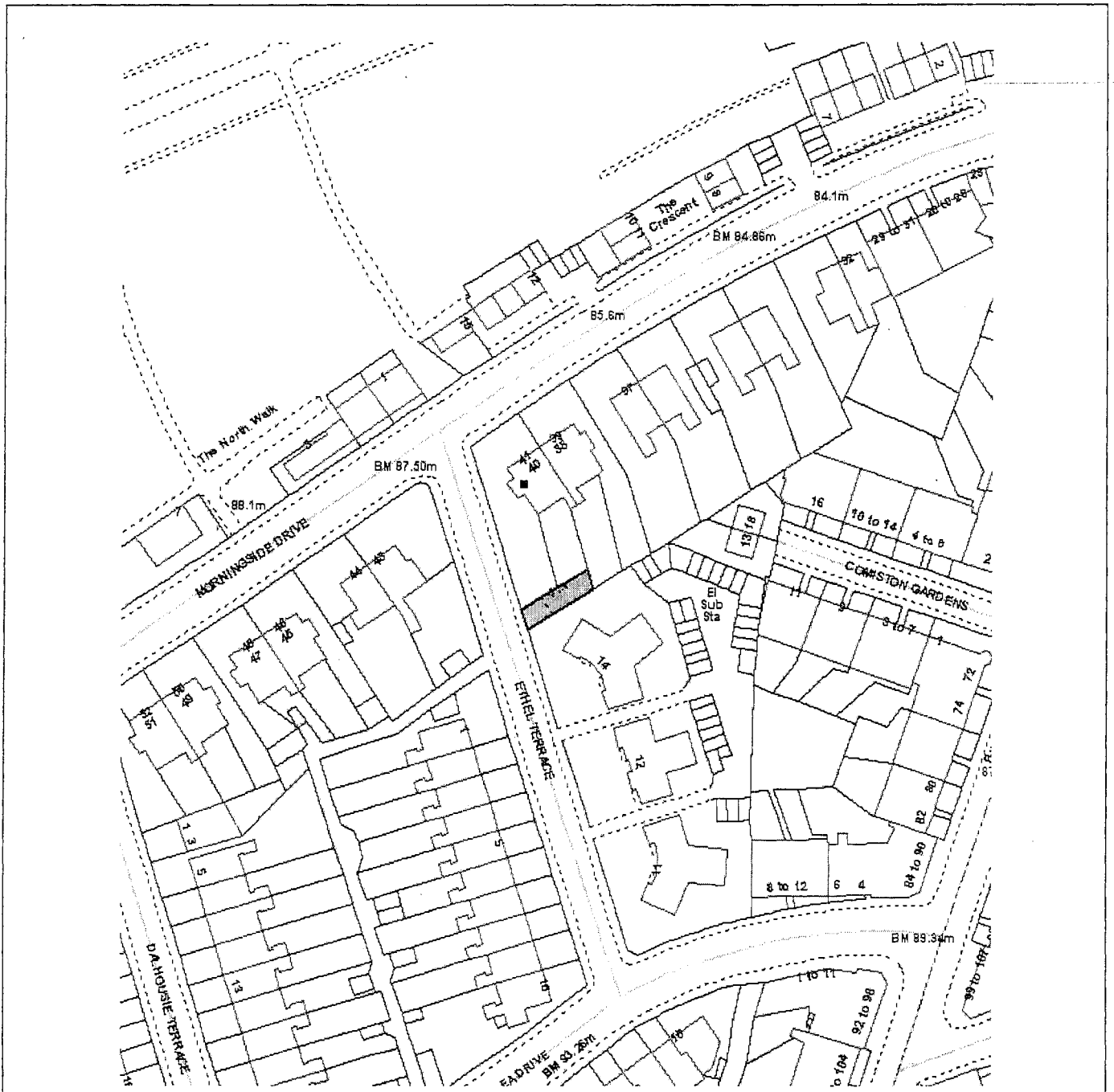
Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. A timber screen fence 1.8 metres in height shall be erected in the rear garden on the boundary between the property and number 39 Morningside Drive. This shall be implemented before occupation of the property. Details of the fence shall be submitted to and approved in writing by the Head of Planning and Strategy.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to protect the privacy of adjoining neighbours.

End



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.

PLANNING APPLICATION

Address	41 Morningside Drive, Edinburgh, EH10 5LZ,		
Proposal	Change of use from artists studio to dwelling house, including single-storey extension to north west corner of		
Application number:	05/01435/FUL	WARD	51- South Morningside

THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY