

**Full Planning Application 05/02645/FUL
at
25 Broomhall Road
Edinburgh
EH12 7PL**

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

1 Purpose of report

To consider application 05/02645/FUL, submitted by Mr A O'Neil. The application is for: **Erect decking area and timber fence (inretrospect).**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The site comprises a semi detached property which lies on the west side of Broomhall Road.

The property has been extended, with single storey additions to the gable and rear elevation.

There is a garage in the side garden area.

The decking and fencing are already erected on site.

Site history

August 2004 Planning application was withdrawn for a new house.
(04/02027/FUL)

February 2005 Planning application was withdrawn for a double garage.
(04/02902/FUL)

April 2005 Planning permission was granted for extensions to property.
(05/00125/FUL)

Description of the Proposal

The proposal is for retrospective planning permission for the erection of 2 metre high fencing and a raised timber deck with a screen fence.

The deck is approximately 4m x 8m in area and 700mm above ground level, which rises to approximately a metre from ground level where it provides a stepped area from the rear door. The screen fence has a maximum height of 3.6 metres above ground level.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the development plan?
- If the proposals 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 these determining issues the Committee needs to consider whether:

- a) The proposal is acceptable in terms of its design; and
 - b) The proposal would have any adverse effect on the amenity of nearby property.
- a) The fencing proposed around the garden area would not be detrimental or have an adverse effect on the character or amenity of the area.

The decking and the screen fence required to prevent loss of privacy from the decking area is however obtrusive, and dominates this area. It fails to make a positive contribution to the overall quality of the environment through its height and design, and does not have an acceptable impact upon its surroundings or neighbourhood.

b) The screen fence on top of the decking would result in an area of 6 sq metres of overshadowing in a strip 1.5 metres deep on the boundary, and within the garden area of number 1 Broomhall Gardens.

In addition it would result in a loss of sunlight to the rear living room window at 1 Broomhall Gardens.

This would be detrimental to the amenity of occupiers of the adjoining property.

The removal of the screen fence only would result in an adverse loss of privacy to adjoining property.

In conclusion, the proposal does not make a positive contribution to the overall quality of the environment, and has an adverse effect on the amenity of neighbouring property. There are no other material considerations which outweigh this conclusion.

It is recommended that Committee refuses this application for these reasons and that enforcement action be authorised for the removal of the screen fence and decking.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Karen Robertson on 0131 529 3990 (FAX 529 3716)
Ward affected	24 - South East Corstorphine
Local Plan	North West Edinburgh
Statutory Development Plan Provision	Mainly Residential
Date registered	3 August 2005
Drawing numbers/ Scheme	1-4

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, Helen Martin on 0131 529 3517. Email: helen.martin@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: 25 Broomhall Road
Edinburgh
EH12 7PL

Proposal: Erect decking area and timber fence (inretrospect).

Reference No: 05/02645/FUL

Consultations, Representations and Planning Policy

Consultations

Representations

Letters have been received from Councillor Dawe, Councillor Wheeler, and 4 neighbours. Points raised are as follows:

1. Out of keeping with the area.
2. Built without permission from the Planning Department.
3. Deck too high.
4. Fence too high.
5. A platform is needed to allow access from the rear extension. The extent of decking is far greater than needed.
6. Decking with no screening would result in loss of privacy.
7. Fence is imposing.
8. Fence blocks out sunlight and overshadows.
9. Retrospective application.
10. History of planning applications.
11. Other fencing 2 metres high has been erected at the property. Should planning consent have been applied for?
12. Fences do not comply with requirements of title deeds which limits height of fences.
13. Enforcement action should be taken.

14. Design and materials.

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

North West Edinburgh Local Plan

Mainly residential

Draft West Edinburgh Local Plan

Urban area

Relevant Policies:

North West Edinburgh Local Plan

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

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.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED AND ENFORCED**

Reasons

1. The proposal fails to make a positive contribution to the quality of the environment and fails to have an acceptable impact upon its surroundings contrary to policy E5 of the North West Edinburgh Local Plan and policy DQ11 of the Draft West Edinburgh Local Plan, and the council's non statutory guideline on House Extensions and Alterations.
2. The proposal is contrary to Non Statutory Guidelines in respect of Daylighting, Privacy and Sunlight, as it would result in overshadowing and loss of sunlight to the property to the west to the detriment of their amenity

End



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PLANNING APPLICATION

Address	25 Broomhall Road, Edinburgh, EH12 7PL		
Proposal	Erect decking area and timber fence (inretrospect).		
Application number:	05/02645/FUL	WARD	24- South East Corstorphine
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			